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Perceiving the Scottish Self: The Emergence of National Identity in Mediaeval Scotland

BY

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The undersigned certify that they have read, and recommend to the Faculty of Graduate Studies and Research for acceptance, a thesis entitled ***Perceiving the Scottish Self: The Emergence of National Identity in Mediaeval Scotland*** submitted by **John Robert Douglas Falconer** in partial fulfillment of the requirements for the degree of **Master of Arts** IN HISTORY

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To my family
for their years of support

ABSTRACT

During the twelfth century Scotland underwent a significant transformation in terms of its geographical, political, cultural and social alignment. Significantly, how external and internal viewers perceived the image and identity of the Scottish nation became bound up in these changes. This thesis is an examination of three main areas which underscored the presence of a national identity in Scotland between the twelfth and fourteenth centuries: namely, political thought and geographical awareness; images of kingship and the institution of the Scottish monarchy; and land tenure and Scots nationality. Other elements vital to the emergence of national identity in mediaeval Scotland, such as the Scottish Church, Anglo-Scottish relations, feudalism, language and race, are also examined in connection to these main areas. The focus of this thesis is a past-centred analysis of how Scots and non-Scots perceived Scotland and Scottishness during this period. By using various royal *acta*, chronicles, contemporary poetry and other published primary and secondary sources, I have highlighted the chimerical nature of national identities, as well as, those characteristics which contemporaries readily identified with nation. Not only should this study reveal what to contemporaries must have been obvious, namely a sense of national self, it should also contribute to the ongoing scholarly debate on nationhood and national identities.

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Perceiving the Scottish Self:
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Introduction

Confronting 'Nationhood'

Between August 1300 and July 1305 Scotland and England drew Pope Boniface VIII and the Papal Curia into a war of propaganda and history.[1] While there is no reason to see the inclusion of Rome in Anglo-Scottish relations as innovative —as early as the first quarter of the twelfth century the Papal Curia had intervened to protect the 'ancient liberties' of the Scottish nation—the use of history to support the claims of either side became more pronounced in the lead up to the Scottish and English 'missions' to Boniface VIII in 1301. Ten years earlier, during the negotiation of the Treaty of Norham, Edward I put forth his claims to overlordship in Scotland on the basis of 'history.'[2] After Boniface VIII issued the bull *Scimus Fili* (1299-1300) refuting the English king's 'right' to Scotland, Edward based his appeal to the Pope for recognition of his claims to overlordship in Scotland on the 'historical' relationship between the two kingdoms. Beginning with the Brutus legend, well developed in Geoffrey of Monmouth's *Historia Britonum*, Edward's reply to Boniface recounted the various occasions when kings of Scotland rendered homage to the kings of England specifically for Scotland. The reply ended with an account of the more recent events surrounding John Balliol's election and deposition.[3] One line in particular stands out for its reflection of Edward's historical perception of a subjugated Scotland and for its revelation of a thirteenth-century *mentalité* at work.

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[1] See G. W. S. Barrow, *Robert the Bruce and the Community of the Realm of Scotland* (3rd Edition, Edinburgh, 1988), pp. 113-114; Michael Prestwich, *Edward I* (New Haven: Yale University Press, 1997), pp. 490-495; E. L. G. Stones, *Anglo-Scottish Relations, 1174-1328: Some Selected Documents* (Oxford: Clarendon Press, 1965) Nos. 28-31; R. J. Goldstein, 'The Scottish Mission to Boniface VIII in 1301: A reconsideration of the context of the *Instructiones* and *Processus*' in *SHR*, LXX, (1991) 1-15; E. L. G. Stones, 'The Mission of Thomas Wale and Thomas Delisle from Edward I to Pope Boniface VIII in 1301', in *Nottingham Medieval Studies*, xxvii, 8-28; Also Edward J. Cowan, 'Identity, Freedom and The Declaration of Arbroath', in Broun, Finlay and Lynch (eds.) *Image and Identity*, pp. 38-39

[2] E. L. G. Stones. 'The Appeal to History in Anglo-Scottish relations Between 1291-1401: Part I.' *Archives* Vol. 9 (1969), pp. 11-21; Stones, 'The Mission of Thomas Wale and Thomas Delisle from Edward I to Pope Boniface VIII in 1301.' 8-28.

[3] See Stones, *Anglo-Scottish Relations* No. 30, for the details of Edward's reply to Boniface VIII; also Prestwich, *Edward I*, p. 492.

> *Item Arturus rex Britonum princeps famosissimus Scociam sibi rebellem subjecit* —Again, Arthur, king of the Britons, a prince most renowned, subjected to himself a rebellious Scotland.[4]

Despite the obvious anachronism, there is something implicit in the emphasis on Scotland as a collective whole, not only the *gens Scottorum* or the *regnum Scotiae*, but the combination of the two. This Edward made explicit in 1305 with his demand that not only *les grauntz seigneurs* of Scotland render homage to him, but also the *libertenentes* or freeholders as well.[5] Edward's insistence that Scotland no longer constituted a distinct and separate kingdom— Scotland was to be referred to as a 'land' in all administrative records after 1305[6]—speaks to his imperialistic endeavours as well as to his perceptions of nationhood.

But Edward I was not alone in his ability to perceive nationhood or national identity, nor to use history to support such notions. The Declaration of Arbroath is perhaps the most notable, although certainly not the only, example of early Scottish writings which bear 'nationalistic' or 'proto-nationalistic' impressions.[7] For instance, the Treaty of Birgham in 1290 demanded that in the event that Edward of Caernarfon was to marry Margaret the maid of Norway, Scotland would "remain separate, divided off, and free in itself without subjection from the realm of England, as has been the case down to the present time."[8] Some of the history that the phrase 'down to the present time' implied included a letter from Pope Alexander III to William I in 1180 which reminded the king of the Scots of the aid provided by the Papacy in maintaining Scotland's ' ancient liberty.' It is clear from the text of this letter that the 'liberty' Pope Alexander III alluded to was the kingdom's independence.

> We recall, that we have laboured assiduously on behalf of your peace and liberty; but make no mistake, if you persist in your present violent course then as we have laboured that your kingdom should have liberty, so we shall take care that it reverts to its original subjection.[9]

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[4] Stones, *Anglo-Scottish Relations*, No. 30

[5] *Ibid.*, No. 16.

[6] See Michael Prestwich, 'England and Scotland during the Wars of Independence,' in Michael Jones and Malcolm Vale, (eds.) *England and her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais*. (London: Hambledon Press, 1989), pp. 186-187; See also Stones, *Anglo-Scottish Relations*, No. 33, '*Endroit des leis et usages pur le governement de la terre d'Escoce*...—As for the laws and customs to be used in the government of the land of Scotland.'

[7] The debate on whether or not the term 'national' can be used in a mediaeval context is discussed fully below, pp. 3-21.

[8] Stevenson, *Documents*, I, 162-173.

[9] See Barrow, *Scotland and Its Neighbours in the Middle Ages*, (London: Hambledon Press, 1992), pp. 1-22.

Since the reign of David I (d. 1153), Scottish kings were careful to distinguish and defend the 'liberties and ancient customs' of both the Scottish church and the Scottish Crown. Symeon of Durham in his account of the twelfth-century struggle between the churches of York and St. Andrews stated that the "former demands as by certain right the ordination and subjection of the primate of the Scots; but on the contrary the latter asserts that she owes nothing by any right of antiquity or custom (*ex nullo antiquitatis vel consuetudinis jure*)"[10] Undoubtedly David's descendant, Alexander III (d. 1286), saw the institution of the Scottish monarchy as being wholly bound up in the idea of the independence of the kingdom as well as the preservation of its ancient native customs and traditions. In 1272, Alexander declared before Edward I that he became 'his man' "for the lands which I hold of you in the realm of England for which I owe homage, reserving the right of my kingdom...[and that] nobody but God himself has the right to homage for my realm of Scotland and I hold it of nobody but God himself.'[11] As Professor Barrow has shown, the concepts of 'rights', 'custom', 'liberty' and 'freedom' all played a significant role in underlining a distinct sense of Scottish identity in the Middle Ages.[12]

Yet to many observers, concepts of identity and national consciousness belong to a more modern world. Certainly in an era of fragmenting political structures and regional separation such concepts are commonplace. The political climate generated by independence movements from the Baltic states to the Balkans in the last decade of the twentieth century has to a certain extent led to a revival of political nationalism in many parts of the world. Moreover, it has led to a dramatic increase in the amount of scholarly literature on regional and national identities, political and cultural consciousness, nationalism and patriotism as well as a redefining of concepts of nationhood.[13] That

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[10] Symeon of Durham, *Historia Regum* Vol. II (Rolls Series, No. 51), p. 204

[11] Stones, *Anglo-Scottish Relations*, No. 12b

[12] Barrow, *Scotland and Its Neighbours in the Middle Ages*, pp. 1-22; Also Barrow, *Anglo-Norman Era*, especially pp. 145-168.

[13] Benedict Anderson, *Imagined Communities, Reflections on the Origins and Spread of Nationalism* (London: Verso, 1983); John Breuilly, *Nationalism and the State*, 2nd edn. (Manchester: University Press, 1993); Adrian Hastings, *The Construction of Nationhood: Ethnicity, Religion and Nationalism* (Cambridge: Cambridge University Press, 1997); C. Bjorn, A. Grant, K. Stringer (eds.) *Nations, Nationalism and Patriotism in the European Past* (Copenhagen: Academic Press, 1994); William Ferguson, *The Identity of the Scottish Nation: An Historic Quest*, (Edinburgh: Edinburgh University Press, 1998); D. Broun, R. Finlay, M. Lynch (eds.) *Image and Identity: The Making and Remaking of Scotland* (Edinburgh: John Donald Publishers, 1998); A. Grant, K. Stringer (eds.) *Uniting the Kingdom? The Making of British*

scholarship on identity and national consciousness is at the fore of historical studies in Britain is obvious from the sheer quantity of books, articles, and dissertations dealing with this subject that have been produced in the past five years.[14] But, despite the valiant efforts of historians such as Linda Colley to show the development and growth of a British identity after 1707, the ambiguous and often conflicting visions of Britain and 'British' have to a significant degree engendered separatist sentiment in Scotland, Wales and Ireland.[15] As more than one historian has remarked, the Act of Union did more to bolster Scottish identity (and to an extent English identity) and a sense of distinctiveness than to forge a shared British identity.[16] As England dominated both the political and economic sectors of Britain, it also began to dominate people's perception of what it meant to be British. That this has had a significant impact on how Scottish and Welsh and Irish identities and national awareness continued to develop is evident through both the independence movements that emerged in the nineteenth century [17]and through the corpus of nationally-focused literature that has continued to grow until the present.

What is most striking to an external observer is how these regions are perceived abroad. In a recent article in the Canadian newspaper, the *National Post*, Trevor Grundy commented on Scotland's recently proposed land reforms by highlighting the history of landlord-tenant relations in Scotland.[18] After citing many examples of the extensive landholdings of such Scottish aristocrats as the Duke of Buccleuch, Grundy focused in on

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History (London: Routledge, 1995); Thorlac Turville-Petre, *England the Nation: Language, Literature, and National Identity, 1290-1340* (Oxford: Clarendon Press, 1996).

[14] See n. 13 above.

[15] Linda Colley, *Britons: Forging the Nation, 1707-1837*, (New Haven: Yale University Press, 1992)

[16] Most recently Dauvit Broun's, 'When Did Scotland become Scotland,' in *History Today Vol. 46 (10)1996.* p. 16. See also Christopher Harvie, *Scotland and Nationalism: Scottish Society and Politics, 1707-1994* (London: Routledge, 1994); Vernon Bogdanar, *Devolution* (Oxford, Oxford University Press, 1979)

[17] Already by the second decade of the eighteenth century a revival in pan -Scottish sentiment emerged, largely in reaction to the Act of Union and the growing pains which accompanied it. The introduction of the Treason Bill (1709), the Hamilton Peerage Case (1711), the risk posed to the Treaties on Peace and Commerce with France by proposing the application of a Malt Tax on Scotland (1713), not to mention the abolition of the Scottish Privy Council and Office of the Scottish Secretary (1708), as well as the threat to the Scottish Kirk through the Toleration Act increased hostilities between those who sought to revoke the Act of Union and those whose best interest necessitated its continuation. See John Robertson, 'An Elusive Sovereignty: The course of the Union debate in Scotland, 1689-1707', in Robertson (ed.) *A Union for Empire* (Cambridge: University Press, 1995), pp. 200-227; See also Rosalind Mitchison, *Lordship to Patronage* (London: Edward Arnold, 1983)

[18] *The National Post*, Wednesday January 6, 1999

the Clearances of the eighteenth century to show how significant land reform is to the Scottish people. Grundy, however, is guilty of making the most common mistake (and perhaps the crux of Scottish, Welsh and Irish resentment to the British label) by stating that "the infamous Clearances came about as a result of the defeat in 1746 of a small Scottish army loyal to the 23-year-old 'Young Pretender' to the throne of *England*, Bonnie Prince Charles."[19] Therein lies the rub! If to the rest of the world 'Britain' is synonymous with 'England,'[20] what should the name of 'Britain' mean to the millions of Scots, Welsh and Irish who, possessed of their own sense of self and of Britain, are so often excluded from the most common perception? It is in reaction to this that Scottish and Welsh nationalism has continued to grow and reach new heights, most recently by attaining regional self-government. Moreover, the environment that such nationalistic politics engenders has undoubtedly led to a revival in nationalism studies in Britain and abroad.

It should be stated that scholars have not been the sole participants in examining concepts or expressions of national consciousness. In the mid-1990s a number of motion pictures examined various aspects of Scotland's national identity, Scottish newspapers editorialized the historical return of the Stone of Destiny to Scotland in 1996, and American and Canadian agencies promoted recognition of Scottish emigrants to North America through a proposed 'Tartan Day.' It is interesting to note that while the political and often bloody struggle that engulfed the former Yugoslavia and places such as Chechnya and Albania occupied newspaper headlines and television news editorials, the romantic vision of Scottish nationalism played out in less esoteric forums. Arguably, nineteenth-century romantic notions of nationalism and the competing current political, cultural and racial varieties occupy the majority of historical and non-historical debates that continue to rage on this subject. One could argue that it is the film-makers, pop-novelists and artisans who demonstrate more often a grass-roots, less theoretical understanding of national identities and the struggle to maintain them. But, caught between threats of censorship over seemingly anachronistic claims and the indictment of perpetrating misinformation on (or misinterpretation of) the past, scholars have to tread a

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[19] *Ibid.*

[20] See for example R. Mitchison, 'Why Scottish History Matters,' *Saltire Society Publication*, 1991.

fine line between putting forth arguments supporting the existence of early national consciousness and denouncing what others may consider to be 'imposed' sentiment. Thus, while concepts of identity and national consciousness are commonplace, they are also varied, often contradictory, and most certainly complex.

Although the debate on the expression of national sentiment and the origins of national identities is fairly old and consists of a wide range of opinions, theories and definitions,[21] the current trend in this debate can be summed up in two words: *when?* and *who*? For many this means attempting to pin down an elusive and chimerical notion. Recent literature shows scholars grappling with the difficulty of expounding their ideas on national consciousness and identity while maintaining the integrity of traditional methodologies. For example, Patrick Wormald and Dauvit Broun recently asked the questions "When did England become England?" and "When did Scotland become Scotland?"[22] The emphasis on finding an exact date for the emergence of nationhood and nationality has to a large extent overshadowed how such social constructs may have impacted on the lives of those people who perceived them. The other questions hinted at in Wormald and Broun, and readily answered by Rees Davies and Thorlac Turville-Petre and Adrian Hastings, are which nation emerged first and which first expressed its sense of self? The answer to both these questions, according to these historians, is England. Turville-Petre, is implicit in his rejection of other nations laying claim to such an occasion. He stated that "the vitriolic attacks on the Scots in the English writings of this period express the rage felt at the Scots' affront to the national dignity and their stubborn refusal to accept the construction of national identity decreed by history."[23] Accordingly,

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[21] E.D. Marcu designates five pages to listing definitions in *Sixteenth Century Nationalism*,(New York: Abaris Books Inc., 1976) especially pp. 10-15; See also Hans Kohn, "Nature of Nationalism" in *American Political Science Review* 33; B.C. Shafer, *Nationalism: Myth and Reality*, (London: Victor Gollancz Ltd., 1955); Georges Grosjean, *Le sentiment national dans la Guerre de Cent Ans*, (Paris: Editions Bossard, 1928) especially p. 213; John Breuilly, *Nationalism and The State*, (Manchester: Manchester University Press, 1982, 2nd edn 1993) Keith Webb, *The Growth of Nationalism in Scotland*, (Glasgow: Molendinar Press, 1977)

[22] Dauvit Broun, 'When did Scotland become Scotland' in *History Today* Vol. 46 (10) pp. 16-21. Patrick Wormald, 'The Making of England' in *History Today* Vol. 45 (2), pp. 26-32

[23] Thorlac Turville-Petre, *England the Nation: Language, Literature and National Identity, 1290-1340* (Oxford: Clarendon Press, 1996) pp.21-22. Turville-Petre suggests that the Scots' affront to the 'national identity' is in their refusal to accept England as the 'backbone of the nation' a nation that they are intrinsically bound up in and in subjugation to the dominant English nationality. 'A great many of the Scots also spoke English and, try as they might, English soldiers had very limited success in convincing the Scots that they were English....In a desperate attempt to save the construction, the English preferred to imagine

the *regnum Anglicae* and the *gens Anglicorum* were coterminous in the Middle Ages, whereas the *regnum Scottorum* and the *gens Scoticae* were separate well into the fourteenth century. Even the Scottish historian Dauvit Broun agrees with this argument.[24] But such answers beg so many questions, especially given the methodologies used to arrive at such conclusions. While I would argue against (and indeed a good portion of this thesis will focus on this question) the idea that the *regnum Scottorum* and the *gens Scotticae* remained separate after the first decade of the thirteenth century, it still remains to be proven that national identities have to be entirely wrapped up in a political veil. The current trend to focus on Celtic Scotland and the continued over-estimation of Norman influence in Scotland by most British historians has to a significant extent complicated the studies of a Scottish national identity in the Middle Ages. For as much as some historians have been attacked for seeing national cohesion in Scotland where others believe it did not exist, in turn the argument supporting long-standing regional separation after c.1130 must be re-examined.

In the attempt to provide empirical evidence to support claims for when nationhood first emerges historians have focused on a number of characteristics which are readily identifiable as components of a national identity. Most recently the emphasis has been on language. Thorlac Turville-Petre and Benedict Anderson, argue that 'language' is the key determinant that undeniably denotes the presence of a national identity.[25] In a similar manner, Adrian Hastings has recently argued that only through the

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that the Scottish leaders spoke Gaelic.' For evidence that some of the Scottish leaders did in fact speak Gaelic, see G.W.S. Barrow, 'The Lost Gaidhealtachd' in *Scotland and its Neighbours in the Middle Ages* (London: Hambledon Press, 1992), pp. 105-126; See also J. MacQueen, 'The Gaelic Speakers of Galloway and Carrick' in *Scottish Studies* Vol. 17 (1973), pp. 17-33, for a discussion on the use of Gaelic in South-west Scotland.

[24] Broun, 'When did Scotland become Scotland' pp. 16-18. 'The idea of the 'Scottish people' did not precede the expansion of royal control—as the idea of 'the English People' was able to underpin the creation of an English state. An equivalent notion of Scottish ethnicity only emerged rather late in the day—probably as late as c.1300, by which time Edward I had already conquered and lost most of Scotland for the first time. Dauvit Broun's explanation for the 'lateness' of Scottish nationality emerging rests on his preponderance to separate Celtic and 'Teutonic' Scotland much in the same manner that Evan McLeod Barron attempted to do over seventy-five years ago. See E.M. Barron, *The Scottish wars of Independence: A Critical Study. 1st edn.* (London: James Nesbit & Co., 1914); and G.W.S. Barrow's refutation of the Barron Thesis in 'Lothian in the First War of Independence, 1296-1328' in *SHR* Vol. LV, pp. 151-177

[25] The two authors differ however in terms of *when* nationalism emerged. Anderson argued that 'nationalism emerged first in the New World not the old.' In a tone of similarity to Turville-Petre, Anderson argued that nationalism arose out of the 'decline of dynasties' and the 'growth in printed literature.' Benedict Anderson, *Imagined Communities* pp. 46-48, 191. Thorlac Turville-Petre's *England the Nation: Language, Literature, and National Identity, 1290-1340* (Oxford: Clarendon Press, 1996)

use of printed type did the transmission of ideas lead to an awareness of the unique identity of a nation.[26] One need only attend a football match between Rangers and Celtic to realize that language and printed type are unnecessary for the transmission of ideas and most certainly of sentiment. Still, there is little doubt that language was an important factor for the mediaeval sense of self. Robert I (d. 1328) was well aware of the importance of the Gaelic tongue in Scotland when he appealed to the Irish in Ireland as *Scotia Maior* on the basis of a shared language in order to garner support for his war against the English.[27] This is indeed telling considering that the Scottish court, like the English court, predominantly spoke French.[28] It is entirely possible, that while there existed a separate sense of self amongst the nobles and lower levels of society based on wealth and social standing, a common sense of nation and nationality existed on every level. Language, therefore, did not on its own give rise to a national identity, at least not in Scotland. While it is not entirely certain what languages William Wallace and Andrew Murray spoke, the fact that Wallace hailed from Renfrewshire and Murray was probably from Petty near Inverness-shire suggests that Gaelic Scotland and non-Gaelic Scotland fought together to defend Scottish liberties regardless of language.[29]

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highlights aspects of English National Identity in the Middle Ages. His focus on language as the defining element of the nation and the key element of the national identity is asserted throughout the book, especially in his derision of the Scots. 'What is significantly new in this period is the conviction that national sentiment is most properly expressed in English, and that the people of England, those that are the backbone of the nation, are Þo Þat in Þis land wone | Þat Þe Latyn no Frankys cone—those who live in this country who know neither Latin or French' pp. 20-23.

[26] Hastings, *The Construction of Nationhood*, p. 7

[27] See R. Nicholson, 'A sequel to Edward Bruce's invasion of Ireland,' in *SHR* Vol. XLII, pp. 38-39.

[28] Arguably, Robert the Bruce as Earl of Carrick spoke Gaelic as well as English and French. Wallace, the Guardian of the Realm of Scotland and patriotic freedom fighter is reported to have spoken Latin, English, French and Gaelic. For commentary on language in Scotland, see J. D. McClure, 'Scottis, Inglis, Suddroun: Language Labels and Language Attitudes" in Roderick J. Lyall and Felicity Riddy (eds.), *Proceedings of the Third International Conference on Scottish Language and Literature* (Medieval and Rennaisance) (Starling / Glasgow, 1981); And G. W. S. Barrow, 'Lost Gaidhealtachd' pp. 105-117; See also Barrow's *The Anglo-Norman Era in Scottish History* (Oxford: Clarendon Press, 1980), pp. 145-168 for a very good analysis of both Gaelic and Lowland Scotland having a shared sense of 'Scottishness.' Turville-Petre states of Wallace and Bruce that 'the poet writing on Simon Fraser wished that the barons could get their hands on Robert Bruce to teach him 'on Englysshe to pype,' and at his trial in 1305, William Wallace was accused of sparing no one who spoke English.' Quoted from *England the Nation*, p. 21; See also Fiona Watson, *Under the Hammer: Edward I and Scotland, 1286-1307* (East Linton: Tuckwell press, 1998), p. 35, n. 28.

[29] Andrew Murray was the son and heir of Sir Andrew Murray Lord of Petty, Avoch and Boharm and Justiciar of Scotia (Scotland north of the Forth) and the nephew of the King's Pantler, Sir William Murray of Bothwell. See G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (Edinburgh: Edinburgh University Press, 3rd edition 1996) pp. 74-75.

Other singular characteristics (such as race, to be discussed in more detail later) have prompted historians to announce their discovery of the origins of national consciousness and national identities in the Middle Ages.[30] It is in this manner that the separate historiographies of Scotland and England as well as the combined British historiography have played a role in the nation's (Britain), and nations' (Scotland and England), consciousness. One can hardly separate David Hume's writings on the *History of England* from how Scotland and Britain have been perceived (and written about) since the eighteenth century.[31] Eighteenth-century attempts at strengthening the Union both politically and culturally through a proposed British identity at times subtly, and at times more blatantly, manifested itself in an assimilationist manner. Indeed a key factor since the Middle Ages in the relationship between England and its Celtic neighbours has been the attempt to subjugate the perceived inferior group to the (self?)-perceived dominant group. This 'racist ontology and inferiorisation,' to borrow the phrase, had in and of itself a role to play in the development of national identities in the British Isles.[32] That a similar ontology showed up in the works of historians after the Union is not surprising nor is it unique. As I mentioned earlier, Edward I in his desire to convince the Papal Curia of his right to overlordship in Scotland caused many English clerks to search 'far and wide' for historical evidence to prove England's dominant relationship to Scotland.[33] Moreover, such thought formed the bulk of discussion on Scotland and other areas on the English periphery in many of the English chronicles. While the historicity of Edward's appeal to the Papal Curia may have been suspect, the process of mythologizing the past was at the centre of laying out the foundations for a mediaeval identity. The origin

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[30] Language being the dominant choice of many including Hastings, *Construction of Nationhood*; Turville-Petre, *England the Nation*; Anderson, *Imagined Communities*; See also John R. E. Bliese, 'Aelred of Rievaulx's Rhetoric and Morale at the Battle of the Standard, 1138', in *Albion* Vol. 20 (4, Winter 1988), pp. 543-556; Sarah foot, 'The Making of *Angelcynn: English Identity before the Norman Conquest'*, in *Transactions of the Royal Historical Society*, 6th Ser. VI, 1995, pp. 25-49, especially pp. 26-27

[31] See for instance, the historiographical section in John Falconer, *A Fredome is a Noble Thing*. (U of A, Honours Thesis, 1997) pp. 1-13,especially 1-4, 2, n. 13.

[32] Jung Min Choi, 'Racist Ontology, Inferiorization and Assimilation' in E. M. Kramer (ed.) *Postmodernism and Race*. (London: Praeger, 1997) pp. 115-119

[33] See E.L. G. Stones (ed.), *Anglo-Scottish Relations, 1174-1328*, (Oxford: Clarendon press, 1965), pp. 192-219; See also Stones, 'The Appeal to History in Anglo-Scottish relations Between 1291-1401: Part I' in *Archives* Vol. 9 (1969), pp. 11-21; Stones, 'The Mission of Thomas Wale and Thomas Delisle from Edward I to Pope Boniface VIII in 1301' in *Nottingham Medieval Studies* Vol. 26, pp. 8-28; See also R. J. Goldstein, '"The Scottish Mission to Boniface VIII in 1301: A Reconsideration on the Context of the Instructiones and Processus,' in *SHR*. Vol. LXX, pp. 1-15.

accounts that Scotland and England developed, the historical pleas that dominate the Irish remonstrance and the Declaration of Arbroath, and the retention of the Celtic inauguration of kings in Scotland suggest that both myth and perception dominated, or at least greatly influenced national identities in mediaeval Britain.

It is apparent that national consciousness and national identities cannot be quantified nor examined strictly within the traditional historical methodologies. Such fluid and changing concepts must be examined in their own right, as they are found, and in terms that are identifiable to modern readers, but not based on modern concepts. The singularly narrow approach and the attempt to pin down *when?* and *who,?* while elucidating portions of the phenomena, presents only a fragment of what was taking place. Arguably, Rees Davies recognized this when he organized his 'Presidential Address' to the *Royal Historical Society* on 'the People of Britain and Ireland, 1100-1400' into four parts.[34] The overlapping, often complementing, sometimes conflicting, characteristics that define a people and which are both recognizable to internal and external observers, are also subject to change and to reinterpretation. In this way the study is sometimes frustrated by the notion that written history can offer a full and genuine snapshot of events that have taken place in the past. At best, the study of national identities and national consciousness can offer insights into how people have perceived themselves and how others have perceived them over a period of time. At worst, the study can claim to have found the exact moment when a people came into existence and the exact moment they began to recognize themselves as a distinct group or as a nation. This should in no way be an indication that the study is futile. Rather, it suggests that discretion is fundamental to the process of studying this phenomena.

While it is difficult to support the modernists' claims to 'nation,' 'nationalism' and 'patriotism,' it is even more difficult to understand why mediaevalists have had such difficulty in coming to terms with the idea that various groups in the Middle Ages had a strong sense of nationhood as well as a strong sense of national identity. The emphasis on locality and regional loyalties and the unbridgeable gap between aristocrat and villein has

[34] R. R. Davies, 'The People of Britain and Ireland, 1100-1400: I. Identities' in *Trans. Royal Hist. Soc.* 6th Ser. IV, 1993, 'The People of Britain and Ireland, 1100-1400: II. Names, Boundaries and Regnal Solidarities' in *Trans. Royal Hist. Soc.* 6th Ser. V, 1994; 'The People of Britain and Ireland, 1100-1400: III.

only recently shifted towards a more overarching view of societies within the historiographical record, with commentaries on both 'nationhood' and 'class'.[35] The persistent reluctance amongst historians to ascribe to societies existing prior to the formation of the great nation states in the late eighteenth early nineteenth centuries a sense of national awareness or national affinity remains a part of the debate on nationalism. In the mid-1980s, Rees Davies stated that medievalists "have been anxious to distance themselves from the naïveté and anachronisms of their nineteenth-century predecessors," who were predisposed to impose the sentiment of their own day onto the mediaeval past.[36] Echoing the 'skepticism' of R.H.C. Davis, Davies offered his 'distrust' of any attempts made by mediaeval figures "to fabricate a racial or national identity which in fact hardly existed."[37] In this way, he was careful to trod the line between historical anachronism and historical anathema. Still, Davies was certainly on to something when he stated that "national identity, like class, is a matter of perception as much as of institutions."[38] Sir William Olifard's (Oliphant) refusal to join the Scottish submission to Edward I in 1304 because he held his commission 'of the lion' is a fitting analogy.[39] While Oliphant's actions support the idea that the institution of the native Scottish monarchy engendered a sense of national identity, Sir Thomas Grey's account of this in his *Scalacronica* suggests that perception of *a* Scottish identity may have existed in the medieval mind.

Regardless, the question remains as to why modern scholars are keenly intent on dismissing the idea that people in the Middle Ages both conceived of nation and

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Laws and Customs' in *Trans. Royal Hist. Soc.* 6th Ser. VI, 1995; 'The People of Britain and Ireland, 1100-1400: IV. Language and Historical Mythology,' in *Trans. Royal Hist. Soc.* 6th Ser. VII, 1996

[35] See Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller.* John and Anne Tedeschi (translators.)(Great Britain: Penguin Books, 1992); See also I. F. Grant, *The Social and Economic Development of Scotland before 1603* (Connecticut: Greenwood Press, 1971); Marc Bloch, *Feudal Society*. L. A. Manyon, trans. Chicago: University Press, 1962).

[36] Rees Davies, 'Law and National Identity in Thirteenth-Century Wales,' in *Welsh Society and Nationhood*: Historical *Essays Presented to Glanmor Williams* (Cardiff, 1984), p. 51; For similar thought on national consciousness in the Middle Ages see Grant Simpson, 'The Declaration of Arbroath Revitalized' in *SHR* Vol. 61, pp. 17-33; See also March Bloch, *Feudal Society* (L. A. Manyon, trans. Chicago: University Press, 1962) for his comments on how mediaevalists have long considered the subject of early national consciousness as 'taboo.'

[37] Davies, 'Law and National Identity' p. 51; R. H. C. Davis, *The Normans and Their Myth* (London: Thames and Hudson, 1976),

[38] Davies, 'Law and National Identity', p. 52.

[39] Sir Herbert Maxwell, (ed.) *The Scalacronica of Sir Thomas Gray* (Glasgow: James Maclehose & Sons, 1907), p. 25

nationality, possessed the will to express or acknowledge their national identity and when necessary to exert nationalist tendencies. Focusing on late eighteenth and nineteenth century concepts of nation and nationalism, many modern scholars argue that the medieval world had neither the machinery, i.e. nation-states, nor the capacity for national sentiment and that only during the past two centuries have the conditions been right for the rise of nationhood and the birth of national consciousness.[40] But one might ask whether the Middle Ages lacked the requisite elements that the eighteenth and nineteenth centuries possessed which were fundamental to the creation of nations and the inspiration of national sentiment? Ethnicity, political allegiances, race, nationality, loyalty, political sovereignty, sense of cultural distinctions, an established state apparatus, religion and language all existed in the Middle Ages if we are to believe the historiographical record. The terminology and the definitions may have differed, and certainly they have shifted and evolved to suit current trends, but it is still possible to identify such ideas and concepts as they existed.[41] One place to begin a study of early national consciousness and national identity may lie in analyzing mediaeval perceptions of self, race and nationality (nationhood as well).

In order to get at the 'truths' that exist in recorded perceptions, i.e. the written record, it is necessary to do more than cut through, or peel off, the various layers of historical creativity, political necessity, virulent xenophobia and other such bias and prejudice which surround them. These layers must also be examined in their own context. Contemporary writers of the twelfth through thirteenth centuries, not only preserved the historical events and comings-and-goings of the medieval figures in their writings, they also preserved how these figures perceived themselves and how others (especially the

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[40] See Hans Kohn, "Nature of Nationalism" in *American Political Science Review* 33, especially p. 1001; B.C. Shafer, *Nationalism: Myth and Reality*, (London: Victor Gollancz Ltd., 1955); John Breuilly, *Nationalism and The State*, (Manchester: Manchester University Press, 1982, 2nd edn 1993)

[41] Terminology is as much at the centre of the debate over identities and consciousness in the Middle Ages as race, ethnicity, language and political foundations. To many scholars the use of the words 'nation' and 'national' to describe polities and affinities in the Middle Ages is problematic. This problem will be discussed throughout this thesis. For a similar problem with terminology effecting historical research see Elizabeth Brown, 'The Tyranny of a Construct: Feudalism and Historians of Medieval Europe', in *American Historical Review*, Vol. 79, No. 4 (1974), pp. 1063-1088, especially 1068-1070, 1087-88. Brown writes of feudalism that 'countless different, and sometimes contradictory, definitions of the terms exist, and any and all of these definitions are hedged around with qualifications.' See also Michael Postan's translation of March Bloch's *Feudal Society*. Postan writes in the introduction that 'in some contexts the

writers themselves) perceived them. As such, the activities of the literati captured mediaeval notions of race, identity, nationhood and nationality. Arguably, it is these folk whom Davies claims 'paraded their sense of belonging to a common race or nation.'[42] The Peterborough Chronicler for instance, writing in the late twelfth century, stated that Robert of St. Albans, an English Templar in the service of Saladin, was '*genere* et *natione* Anglicus.'[43] Race, as described by medieval chroniclers, was in part a means to bolster the esteem of the monarch and court for whom they wrote, or to denigrate the enemies of the monarch and his people. Recorded accounts of the foul deeds committed by the '*barbaras gentes*' or 'barbarous nations' are chronicle commonplaces. But, in the case of the Normans and their progeny, the influence they had in, and on, the British Isle is complicated by the shifts that occurred in how they perceived their own race and nationality and how others perceived them.[44] Determining whether or not the Normans constituted a separate and distinct race, in mediaeval terms, is perhaps the key to understanding their impact on both English and Scottish identities in the so-called Norman era. When Scottish kings such as John Balliol and Robert the Bruce sought to demonstrate their connection to the long ancestry of Scottish kings despite the fact that their ancestors hailed from the Cotentin and Normandy, it raised the question of whether these men were Scottish by nature or by nurture. Race was certainly an issue in the Middle Ages, perhaps a little more perceived than has been thought in the past, but nonetheless genuine. As far as it concerns modern studies of national identity and national awareness in the Middle Ages, the issue of race is only one of many strands in a complex dynamic. The way in which race and racial tensions in Scotland and England throughout this period influenced, and continued to influence, how the history of Anglo-Scottish relations was written has contributed to a general misunderstanding of events and perceptions in mediaeval Scotland and England. Indeed, the writings of Andrew Wyntoun, John Mair (Major) (w. 1521), Hector Boece (w. 1527) David Hume (d.1776),

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practice of giving general names to whole epochs can even be dangerous, [luring] its practitioners into the worst pitfalls of the nominalist fallacy, and encouraging them to endow their terms with real existence.'

[42] Davies, 'Law and National Identity,' p. 51

[43] *Benedict of Peterborough* (Stubbs, ed. Roll Series no. 49, *Gesta Regis Henrici II*, Vol. I) p. 341. Howden states 'natione Anglicus' (Stubbs, ed. Rolls Series no. 51, *Chronica*) p. ,

[44] See R.H.C. David, *The Normans and their Myth* (London, 1976); G. A. Loud, 'The 'Gens Normannorum—Myth or reality?' in *Proceedings of the Battle Conference on Anglo-Norman Studies*, Vol. IV, 1981, pp. 104-116.

Thomas Macaulay (d.1859) continuing right through to the early twentieth century attest to the strength of mediaeval perceptions.[45] It is to these writers that many turn in order to base their notions about the past. Yet, for each generation of historical writing there is a blending of old and new historical perception.

Thus, while the late fourteenth-century chronicler John of Fordun tells us that in 1288 Andrew of Moray (Murray) set out against William of Abernethy and Walter of Percy because the two had plotted against and murdered Duncan, the Earl of Fife,[46] many modern historians of Scotland have ignored or glossed over the significance of this and other domestic events surrounding the Scottish wars of independence.[47] One reason for this gloss has been the keen desire of many historians of Britain to bring Scotland more firmly within the British historical tradition; in other words, to highlight only those events taking place in the British Isles that were upsetting the smooth political balance in England.[48] This may be why British scholars have tended to focus primarily on Scotland's turbulent relationship with England before and after Union as the defining force which galvanized a strong national and patriotic movement and which gave life to the Scottish national identity. Resistance and reaction are the central themes in Keith Webb's explanation of the *Growth of Scottish Nationalism*, as they are in Bruce Webster's *Medieval Scotland: The making of an identity*, and a host of others.[49] That said, the recent interest in understanding the origins of Scottish nationalism and national identities has contributed greatly to a process of renewed interest in, and a redefining of,

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[45] See Roger Mason, 'Scotching the Brut: Politics, History and National Myth in Sixteenth-Century Britain,' in Mason (ed.) *Scotland and England, 1286-1815* (Edinburgh: John Donald Publishers Ltd., 1987), pp. 60-84; Marcus Merriman and Jenny Wormald, 'The High Road from Scotland,' in Grant and Stringer (eds.), *Uniting the Kingdom?* pp. 111-132, especially their comparison of Boece and Mair on pp. 111-112; See also John. R. E. Bliese, 'Aelred of Rievaulx's Rhetoric and Morale,' pp. 543-556, especially pp. 544, 554-55 for a startling example of a modern scholar taking the chroniclers entirely on their word. Bliese states of the chronicle accounts of the Battle of the Standard that 'the atrocity stories are not just the typical list of human barbarity, such as we find in Henry [of Huntingdon?] They include vividly described horror scenes, some of which are specific events.' For a more detailed analysis of how earlier writers dealt with the Scots, Scotland and the Scottish national identity, see Chapters One and Two below.

[46] *Chron. Fordun.*, ii, LXXXII, pp. 313-314. Fordun further informs us that in 1297 Andrew of Moray, the sole noble fighting alongside William Wallace at Starling Bridge, 'fell wounded.' *Ibid.*, ii, XCIC, p. 322

[47] While scholars such as Geoffrey Barrow and A. A. M. Duncan have taken strides to shed more light on Scotland's domestic events during this period, their emphasis has generally been on Scotland's relationship with England. See for example Duncan, *Making of the Kingdom*; and Barrow, *Feudal Britain*.

[48] Rosalind Mitchison (ed.), *Why Scottish History Matters* (Saltire Society Publication, 1991), pp. viii.

[49] Webb, *Growth of Scottish Nationalism*, (Glasgow, 1977); Bruce Webster, *Medieval Scotland: The Making of an Identity* (London: MacMillan Press, 1997); Ferguson, *The Identity of the Scottish Nation* (Edinburgh: University Press, 1998); D. Broun *et al*, *Image and Identity* (Edinburgh: John Donald, 1998)

Scottish historical studies. Nonetheless, it is necessary to gain a better understanding of the importance of such issues as the role of 'the Moraymen' in Scotland in the late thirteenth century in a context which goes beyond Scotland's foreign relations and which would underscore Scotland's sense of identity beyond that of a threatened kingdom.

Outside the context of the relationship between Moray and the rest of 'Scotia proper' prior to the mid-thirteenth century and within the context of a threatened kingdom, the actions of Andrew of Moray seems appropriate, if not perfectly natural. It is reasonable to assume, given the political instability that followed the death of Alexander III and the course of events leading up to the deposition of John Balliol, that the Scottish nation put aside its internal conflicts and rose to the occasion to meet English aggression. Meanwhile, Scottish, English and British historiography tells a somewhat mixed story. Historians have not ignored the Balliol/Comyn-Bruce civil strife that threatened Scotland between 1289 and 1387, nor have they ignored prior events such as the political infighting during the minority of Alexander III.[50] But such descriptions and analyses have been painted with the same brush and the same broad strokes that have detailed Scotland's national and patriotic movements in the middle ages.[51] Arguably, removing England and English political, economic, social and cultural interactions with Scotland from the equation would be tantamount to removing half the DNA from a newly formed zygote. Yet, historians and scholars have only touched the surface in dealing with the other half of the equation. The expansion of the Scottish kingdom into the peripheries, such as Moray and Galloway and the political and cultural consolidation of the Scottish nation and the expansion of a national identity into these regions are often lost amongst the trials and trepidation of early Anglo-Scottish relations. What then of the impact of various cultures and regional identities as they competed, underwent transformations and eventually merged together to form a singular sense of nation? Moreover, what are we to make of the various perceptions of Scotland and 'Scot' that emerged in the late eleventh through early thirteenth centuries? Further still, what about the various external views of the Scottish nation and its people? And more importantly, what about the complexities that emerged as a result of two major transformations taking

[50] For example the recent publication by Alan Young, *Robert the Bruce's Rivals: The Comyns, 1212-1314*. (East Linton: Tuckwell Press, 1998).
[51] See Chapter 1 below.

place simultaneously: the transformation of the Scottish nation, with all of the intricacies of internal colonialism, cultural integration and the elevation of a singular royal dynasty, combined with the administrative and political transformation that Norman feudalism brought to Scotland?

Because of the scope and the complexities involved in underlining the origins and development of national identities and national consciousness it is often difficult to obey the strict guidelines of a set time frame. Still, it is necessary to place the development, extension and expansion of the Scottish national identity within an historical context. As such the dates 1124-1328 provide a workable time frame. In one sense these dates attempt to pin down the occurrence of what might otherwise be considered a fluid idea, best left unfettered by limitations. They may also obfuscate the organic nature of national identities and national consciousness. The goal of this thesis, however, is not to focus solely on expressions of identity. Rather, it will focus mainly on the major factors surrounding the development of a national identity in Scotland, including various perceptions of geography, race and kingship as well as the more practical aspect of land tenure and the role it played in fostering a sense of loyalty and commitment to preserving the customs and liberties of the kingdom. As well, an analysis of the emergence of nationality during the twelfth and thirteenth centuries will shed light on how a sense of belonging to a people contributed to a national identity in mediaeval Scotland.

It is perhaps helpful to see the events surrounding the merger of the kingdoms of Dal Riata and Pictland in the ninth century, with all of its conflicts, compromises, and interactions intact as the 'primordial ooze' from which the Scottish nation, national consciousness and national identity sprung forth. It is significant however, that the Scottish wars of independence in the thirteenth and fourteenth centuries did not bring about the completion of this process. As such it is difficult to construct a fully quantitative or even empirically well defined time-line to help illustrate Scottish national consciousness in any age.[52] Nevertheless, scholars continue to put forth their re-definitions of how Scotland gained a sense of itself. Partly in reaction to the limited scholarship on Scottish nationalism, national consciousness, or identity in the literature of

[52] Not for a lack of trying, see notes. 1, 3, 7. See also Christopher Harvie, *Scotland and Nationalism*, (London: Routledge, 1994).

the past two hundred to two hundred and fifty years, recent scholars have taken issue with this historiographical void and attempted to fill it. Seminal works examining Scotland's national identity and its various struggles with England to maintain its independence both politically and culturally are Bruce Webster's *Medieval Scotland: The Making of An Identity* (St. Martin's, 1997), William Ferguson's *The Identity of the Scottish Nation: An Historical Quest* (Edinburgh University, 1998) and D. Broun, R. Finlay and M. Lynch's *Image and Identity: The Making and Remaking of Scotland* (John Donald, 1998). Yet, the topic of regional identities within Scotland and the concept of Scottish internal colonialism and its impact or influence on a national identity requires further study. Ultimately, these issues had an impact on the future development of a limited identity in the Scottish Highlands.[53] What stands out in examining the period 1124-1328, is that various perceptions of Scotland, contemporary, near-contemporary (within three-hundred years), and modern, as well as geographically determined, Irish, Scandinavian, English and Scottish compete with one another for predominance. By demonstrating how the various groups who made up the kingdom of Scotland in the twelfth and thirteenth centuries understood, coped and dealt with the growing pains of becoming a melting-pot nation it may be possible to understand how these groups began to conceive of a common identity. Moreover, it should become clearer who considered themselves to be Scots and who did not. Expectedly, such perceptions may pose difficulties, yet bias, prejudice and inaccuracy contributed (contributes?) to how various groups either saw Scotland and 'Scot' or how they wanted them to be seen. Undoubtedly, both negative and positive perceptions shaped the mediaeval Scottish identity.

Because of its significant impact on the development of the Scottish nation and because of the legacy it left behind both socially and politically, the advent of Norman influence in Scotland serves as the second major theme that this thesis will examine. Historians since the twelfth century have to a large extent over-estimated, and in some cases over-simplified, the impact of the Norman presence in Scotland. The often-misleading tendency of confusing a process of political-cultural integration with a full-

[53] This highland identity was largely arrested during the sixteenth and seventeenth centuries, but actively challenged the hegemony of Lowland Scotland's Presbyterian identity in the eighteenth century. See Keith Wrightson, 'Kindred Adjoining Kingdoms: An English Perspective on the Social and Economic History of

blown Norman[54] conquest largely influenced the way Scottish history was written up to the mid-twentieth century. Arguably, it also formed the context in which an Anglocentric- British history has, to various extents, subverted Scottish history. The driving force behind such an interpretation is the over-emphasis on Anglo-Norman-Scottish relations during this period. Without a doubt Anglo-Norman (English) aggression fostered and indeed forged a determined and thoroughly patriotic movement in Scotland in the twelfth, thirteenth and fourteenth centuries. However, completely identifying the Scottish identity with a purely reactionary behaviour does little or no justice to a group whose sense of itself developed primarily out of an internal awareness of its uniqueness contrasted by the perception of external groups, and through a recognition of its regional identities, incorporated, and in many ways instigated, by the political, social and economical policies of its core. It was in reaction to Edward I's denial of this sense of self combined with an understanding of the nation's liberties, that the Scots 'lifted their head from their dens' and opposed Edward's imperial aggression. Arguably, during the years of consolidation, the imperialistic endeavours of the Canmore kings engendered similar sentiment in places like Moray, Galloway and the outer Isles.[55]

Perhaps more troublesome, although admittedly less bloody, will be the process of undoing nearly a thousand years of historical imposition. The application of a Normanesque sheen by a group of Anglo-Norman chroniclers on Scotland's native monarchy at a time when the Scottish nation began to emerge has contributed to a variety of misconceptions concerning Scotland's place in the British Isles. Of more fundamental importance, it has skewed its sense of identity, its sense of nationality and race, as well as its sense of history. But if the lack of *truth* in such writings presents historians with a dilemma, how then should historians deal with the transmission of perceived ideas and notions that fill the various volumes? In attempting to ascertain how various groups perceived themselves during the middle-ages it goes with out saying that one must examine the contemporary literature with prospects of viewing such perceptions. For

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Early Modern Scotland', in Houston & Whyte (eds.) *Scottish Society: 1500-1800*, (Cambridge: University Press, 1989), pp. 245-260.

[54] For the purpose of this paper the term Norman will be used in a generic sense to represent Norman, Flemish, French, Breton, and all other French groups in Scotland at this time unless otherwise specified.

Scotland in the twelfth through early thirteenth centuries, the most fruitful sources are those which originated in the north of England and the south of Scotland. It is both fascinating and ironic that in a region that was in such opposition to the Conqueror and his ways such vociferous and unabashed praise for the Norman way of life should emerge. One only has to glimpse at the writings of William of Malmesbury or Ailred of Rievaulx to understand this point.[56]

The xenophobic reaction to the neighbouring Scots and the constant, or at least consistent, praise for their kings is somewhat contradictory unless it is explained away by the notion that Scottish kings were by nature Scottish and by nurture Anglo-Norman: *qua Scotiis natura fuit et Anglicis (Normannis) nutrire*. Or in the more famous appellation by William of Newburgh, '*rex [reges] non barbarus barbarae gentis*.' The slippery slope such sentiment engendered is apparent in the writings of David Hume in his *History of England*, whereby Scottish kings in allying (not in the military or political sense of the word, rather in the cultural outlook) themselves with Anglo-Norman rulers in England began a process that attached Scotland more closely to England's political core which inevitably concluded in 1707. The inherent whiggery of such ideas has not dissuaded subsequent writers from accepting Scotland's subjectivity to England as a *fait accompli*. The question that still remains to be answered, is to what degree the early writings projected a perceived notion of Scotland and its people, and to what extent these chroniclers applied a tarnish of Norman cultural haughtiness to Scottish monarchs?

The ability to resist imposing current thought on race, ethnicity and nationality onto the medieval landscape is a difficult task confronting many modern scholars. Distinguishing mediaeval concepts of race and nationality from the modern constructs enables a more ingenuous, albeit at first-glance less recognizable, look at early national consciousness. What is most difficult about this is that while there are certain similarities in how race and nationality used to be, and to a degree still are, perceived, there are

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[55] On this subject see R. Andrew McDonald, "'Treachery in the Remotest Territories of Scotland:' Resistance to the Canmore Dynasty, c.1130-1230," (forthcoming). My thanks to Dr. McDonald for allowing me to read a draft of this piece.

[56] I will deal directly with this in Chapter 2. For an example of how the chroniclers saw the Scots as a threat to the Norman way of life, see Richard of Hexham, *De Gestis Regis Stephani*, in *Chronicles of Stephen, Etc., Vol. III* (Rolls Series), pp. 150-151; Also Orderic Vitalis who states that 'certain miscreants made a conspiracy and had animated one another mutually by secret machinations to wickedness that on a

definite differences as well. For instance, the current trend to distinguish race based on biological and genetic make-up is significantly different from the mediaeval emphasis on culture, language and to a degree regional climate.[57] A possible similarity, however, is the attempt, perceived or real, by the dominant race to assimilate inferior races and for the inferior race to take on key characteristics of the dominant race in order to elevate their position in society.[58] Whether or not one accepts William of Malmesbury's statement that David I "rubbed off all the tarnish of Scottish barbarity through being polished from his boyhood by intercourse and friendship with us [i.e. Anglo-Normans]" the significance of the statement rings loudly in this context.[59] Arguably, this assimilationist ontology works only if we can consider the Normans to have been a distinct race and more importantly if they themselves and others considered them to constitute a distinct race. One modern scholar has suggested that if we understand "that any social relationship is a result of human *praxis* and volition—a rationale for any sort of domination and subjugation becomes vacuous."[60] Yet if we are to accept the chronicle record, it clearly paints a picture of competing racial groups who seek to dominate and certainly to denigrate what they perceived to be inferior races. In order to understand how race effected nationality and national identity in the Middle, it is necessary to accept the chronicle writings at least for their transmission of perceived values while comparing how such perceptions reflected the social, cultural and political realities of the day.

While it is neither possible nor practical to place blame on one group of historians or on any specific era of scholarship for how Scottish history has come down to the present, it is necessary to understand how an outdated historical framework still accepted, and in some cases clung to, has complicated the study of Scotland before the Union. More specifically, the historiographical record that emerged after Union in 1707 set in

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fixed day they should slay all Normans and deliver the principality to the realm of the Scots.' In Migne's *Patrologia*, Vol. 188, Col. 621.

[57] See G.A. Loud, "The Gens Normannorum-Myth or Reality?" in *Proceedings of the Battle Conference* (IV—1981), pp. 109-111. Loud argued that Aristotelian thought dominated the mediaeval concept of race which evolved to a point where 'the character of a people was becoming equated with the character of the country they inhabited.'

[58] See Jung Min Choi, "Racist Ontology, Inferiorization, and Assimilation," in Eric Mark Kramer (ed.) *Postmodernism and Race* (Connecticut: Praeger, 1997), pp. 115-128.

[59] Malmesbury, *GR*, Vol. II, pp. 476-477. Malmesbury goes on to relate how David I 'immediately relieved from payment of three years' taxes all his countrymen who were willing to dwell in a more civilized manner, or to be attired with more refinement, or to be more particular about their food.'

motion a pattern well maintained until the late 1950s underscoring Scotland's predetermined subjugation to the English nation and intrinsically bound up in the idea of Britain. Revisionists of this type of history have often had the misfortune of being labeled nationalists, while those who have continued the use of such a framework have perpetuated a faulty understanding of Scotland and by default, Britain as well. One of the greatest difficulties in getting past this issue has been the reluctance on the part of modern historians to cross the boundaries their discipline places upon them. As a result, medievalists have had the greater difficulty putting together a useful and reliable framework from which to base their interpretations on.[61] Without a firm understanding of how and why antiquarian societies of the late seventeenth early eighteenth centuries gathered their information, and why enlightenment and post-enlightenment British scholars interpreted the course of British history in the fashion that they did, it is difficult to get at the reality of the past free from the prejudice of the more recent past. The predisposition of many eighteenth and nineteenth century British historians to demonstrate a determined course of events from the Roman era through to the Hanoverian succession darkened further an already dark period. In attempting to ascertain how early Scots viewed themselves as well as their nation, it becomes necessary to sort through the various layers of perceptions that have influenced our understanding of Scot and Scotland through the ages.

If we start from the premise that perception plays a significant role in group consciousness, then through an analysis of Scottish sources we may discern how various levels of mediaeval Scottish society thought of themselves as *a people*, *a nation* and as *a nationality*. Conversely, through an analysis of non-Scottish source material we may also see how external groups perceived of *Scot* and *Scotland* as well as themselves.[62] We may also come to some understanding as to what the terms *race* and *nation*, and by relation, what *national identity* and *national sentiment* meant in the Middle Ages. But, despite the efforts of many historians in this field, it is difficult to provide empirical evidence as to

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[60] Choi, "Racist Ontology, Inferiorization and Assimilation" p. 120.

[61] See Norman Cantor, *Inventing the Middle Ages: The Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century* (New York: William Morrow & Co., 1991)

[62] Recent work on the *gens Normannorum* suggests that the Normans were not—in mediaeval terms—a race. This should have a significant impact on how historians analyze the so-called Normanization of Scotland.

when a group first began to see itself in terms that are national rather than local or regional. It is possible however to show a growth, as well as, various shifts, in national sentiment. Accordingly, we can analyze the impact such sentiment had on both the political, military, cultural and social changes taking place in Scotland during the twelfth and thirteenth century.

Bearing this in mind we might ask what should be made of the statement in the Chronicle of Holyrood that in 1163 "*rex Malcolmus Murevienses transtulit?*"[63] One of the key elements of the so-called Normanization of Scotland was the settling of Anglo-Norman families in various regions throughout Scotland. The statement above implies a displacement of native landholders, but the reasons for such a movement, and the ambiguity of the text, raises many questions. Andrew McDonald and Professor Duncan have suggested that what the Holyrood chronicle possibly referred to was a translation of saintly relics or a transfer of the bishopric of Moray.[64] However, McDonald added that the continued revolts in Moray indicate that this 'movement' affected a large portion of the population of Moray, suggesting that John of Fordun's embellishment of the Holyrood account "should not be dismissed out of hand."[65] The policy of extending royal administration and control over the peripheral regions between 1124, when the first major revolt in Moray took place, and 1266 when Alexander III secured the outer Isles from the King of Norway, is significant to the study of national identities in Scotland during this period and should be examined in more detail. However, in order to make this study more manageable and because of the sources that are available these regions will only be considered in a general fashion. Nonetheless, the extension of a more national outlook accompanied the extension of royal prerogative into the peripheries and the consolidation of the kingdom. That the institution of monarchy was fundamental to the Scottish identity is evident in the Declaration of Arbroath and has been fairly established in the historiographical record. Moreover, it is becoming more readily accepted that the blending of Celtic and non-Celtic tradition, custom and culture

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[63] M. O. Anderson, (ed. and trans.) *A Scottish Chronicle known as the Chronicle of Holyrood* (Edinburgh, 1938), p. 142; See also McDonald, 'Treachery in the Remotest Territories of Scotland', pp. 3-4

[64] A. A. M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh: Oliver & Boyd, 1975), p. 191.

[65] McDonald, 'Treachery in the Remotest Territories of Scotland', p. 4.; John of Fordun stated that 'not even one native of that land abode there; and he [Malcolm IV] installed therein his own peaceful people.'

contributed to the national identity of Scotland. By examining land settlement patterns, I hope to reveal the impact (significant or small) the new colonists had on the developing kingdom and how the integration of various peoples within two generations (1124-1174) ensured that on the advent of the thirteenth century a significant majority of Scotland's populace saw themselves as being Scottish. This I believe will highlight why people like Alan of Galloway, Andrew Murray, Robert of Keith, Malise the younger of Strathearn, and others representing even the 'remotest territories of Scotland,' believed in, supported and fought for the liberties of the Scottish nation.

W. F. Skene, (ed.) *John of Fordun's Chronicle of the Scottish Nation* Vol. 2 (Llanerch Publishers, 1993), p. 252

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A Language of Imperialism?
Perceptions of geography and race in early source materials.

In 1328, delegates from the Scottish and English courts ratified a peace agreement ending the first war of independence. By a letter of Quit-claim, Edward III renounced English claims of overlordship which had been a source of Anglo-Scottish tension for centuries. It reads:

> We, and certain of our predecessors as kings of England, have tried to assert rights of rule, dominion, or superiority over the realm of Scotland, and in consequence a grievous burden of wars has long afflicted the realms of England and Scotland, ...by reasons of these wars, and the advantages which would accrue to each kingdom....if they were joined by the stability of peace,....we wish, and grant by the present letter, ... that the realm of Scotland.....shall remain for ever to the eminent prince Lord Robert, by the grace of God the illustrious king of Scots.....divided in all things from the realm of England, entire, free, and quit, and without subjection, servitude, claim or demand. (Treaty of Edinburgh-Northampton, 1328)[1]

More than commenting on English aggression and Scottish reaction the language in the text underscored the fundamental principles of an *inter* regnal, or *inter* 'national,' relationship: "divided in all things....entire, free and quit, and without subjection, servitude, claim or demand." Arguably, such a claim rests on the belief that both sides recognized their own polity and social and cultural organization as a 'nation' and in turn were recognized by the other in a similar manner. Such recognition however, does not depend upon twelfth-, thirteenth- or fourteenth-century conceptions of state and nationhood conforming to more modern concepts. Rather, it suggests that contemporaries were able to distinguish the institutions and characteristics that they readily identified with nationhood. Take for example the appeal to the historical foundations of the nation of the Scots found in the letter written to Pope John XXII in 1320, more commonly known as the Declaration of Arbroath:

> Most holy father and lord, we know, and we gather from the deeds and books of the ancients, that among other distinguished nations (*naciones*) our own nation (*nacio Scottorum)*, namely of Scots, has been marked by many distinctions. *It* journeyed from Greater Scythia by the Tyrrhenian sea and the Pillars of Hercules, and dwelt for a long span of time in Spain among the most savage peoples, but nowhere could it be subjugated by any people, however barbarous. From there it

[1] E. L. G. Stones, *Anglo-Scottish Relations*, No. 41.

> came, twelve hundred years after the people of Israel crossed the Red Sea and, having first driven out the Britons and altogether destroyed the Picts, it acquired, with many victories and untold efforts, the places which it now holds, although often assailed by Norwegians, Danes and English. As the histories of old time bear witness, it has held them free of all servitude ever since.[2]

Such constructions of the past undoubtedly contributed to the contemporaneous identity of the Scots. As Rosamond McKitterick recently argued, "social groups construct their own images of the world by establishing an agreed version of the past."[3] Such constructs developed out of crises situations wherein groups gathered their 'memories' and put pen to paper to record them for posterity.[4] That Edward I sought out, destroyed or carted off early Scottish chronicles, royal documents, and various other written materials suggests an awareness of the importance of such sources to a 'people's / nation's' sense of itself.

Yet, for many modern observers the *it* [i.e. the nation] referred to by the Declaration author, and conceived of by those who appended their seals to it, is problematic.[5] Aside from the current debate on the origins of nation-states and national identities, many scholars have argued that the mediaeval mind was incapable of perceiving nationhood or clearly articulating concepts of nation, nationality, race and identity.[6] The contemporary record shows that this was not the case. As expressed in the Declaration, the nation of the Scots was not solely defined by locality nor by the political body that governed. It extended beyond both political and geographical boundaries. This

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[2] *APS,* I, 114, A. D. 1320, *Acta Parliamentorum Roberti I.* A. A. M. Duncan, (trans.) 'The Declaration of Arbroath' in *The Nation of Scots and the Declaration of Arbroath (1320).* (London: The Historical Association, 1970).

[3] Rosamond McKitterick, 'Constructing the Past in the Early Middle Ages: The case of the Royal Frankish Annals', in *Trans. Royal Hist. Soc.* 6th Ser. VII (1996), p. 101; See also Susan Reynolds, 'Mediaeval *Origines Gentium* and the Community of the Realm', in *History* LXVIII (1983) pp. 375-380.

[4] McKitterick, 'Constructing the Past,' p. 102.

[5] See Grant G. Simpson, 'The Declaration of Arbroath Revitalised', in *SHR* LXI (1977), pp. 11-33.; For further discussion on the Declaration of Arbroath see, Duncan, A. A. M. *The Nation of the Scots and the Declaration of Arbroath.* (London: Historical Association Pamphlet, 1970). Duncan, A. A. M., 'The Making of the Declaration of Arbroath', in D. A. Bullough and R. L. Storey (eds.) *The Study of Mediaeval Records.* (Oxford: University Press, 1971); Alexander Grant, 'Aspects of National Consciousness in Mediaeval Scotland' in C. Bjorn, A. Grant and K. Stringer (eds.). *Nations, Nationalism and Patriotism in the European Past.* (Copenhagen: Academic Press, 1994), pp. 68-95; Edward J. Cowan, 'Identity, Freedom and the Declaration of Arbroath', in D. Broun, R. finlay and M. Lynch (eds.) *Image and Identity: The Making and Re-making of Scotland Through the Ages* (Edinburgh: John Donald, 1998) pp. 38-68

[6] See E. D. Marcu, *Sixteenth-Century Nationalism.* (New York: Abaris Books Inc., 1976). Boyd Shafer, *Nationalism: Myth and Reality.* (London: Victor Gollancz Ltd., 1955); Hans Kohn, *Nationalism: Its meaning and its History.* (Princeton: Van Nostrand, 1955). More recently see E. J. Hobsbawm, *Nations and Nationalism since 1780* (Cambridge: University Press, 1990); R. R. Davies, 'The Peoples of Britain and Ireland, 1100-1400, I. Identities' in *Trans. Royal Hist. Soc.* 6th Ser. IV (1993), pp. 1-20, especially pp. 2-3.

historical concept of a nation, 'a people',[7] implied a long existing collectivity and a contemporary awareness of an already established group consciousness.[8] The line "it acquired, with many victories and untold efforts, the *places* which it now holds", emphasized the belief held by those who, at the very least, played an active role in the creation of this letter, that the Scottish nation preceded the geographical and political boundaries that came to contain and govern it. Still, it is significant that the two paragraphs that followed stressed the increasingly important role of geography and monarchy in contemporary notions of nationhood.[9] These paragraphs concluded by tying together aspects of Scottish tradition and custom with the increasingly fixed idea of a political and geographical body.

> But from these countless evils we have been set free, by the help of him who though he afflicts yet heals and restores, by our most valiant prince, king and lord, the lord Robert, who, that his people and his heritage might be delivered out of the hands of enemies.....Divine providence, the succession to his right according to our laws and customs which we shall maintain to the death, and the due consent and assent of us all have made him our prince and king.....Yet if he should give up what he has begun seeking to make us or our kingdom subject to the king of England or to the English, we would strive at once to drive him out as our enemy and a subverter of his own right and ours.'[10]

The Declaration, despite its propagandist overtones, articulated the idea of a nation of Scots—'a people' bound together by custom, tradition and a shared sense of history—and the idea of the Scottish nation—the geographical and political organization of 'a people' seeking to maintain the liberty of their ancient rights and customs.[11] Arguably, such concepts of nation were not held entirely separate from the other. Neither did they evolve at the same rate or manifest themselves in like manner.[12] As such, it is difficult, perhaps

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[7] Many scholars have opted to translate the Latin *gens, gentis* simply as a 'people' to avoid attributing to these group any modern notions of nationhood. See Rees Davies, 'The Peoples of Britain, 1100-1400. I: Identities' pp. 2-20; See also below n. 20.

[8] See Grant, 'Aspects of National Consciousness', pp. 74-75; E. J. Cowan 'Myth and Identity in Early Mediaeval Scotland' in *SHR*., LXIII (1984)

[9] Two paragraphs outlining the role of the native monarchy ['one hundred and thirteen kings of their own royal stock...the line unbroken by a single foreigner'] and the threats to the Scottish nation by the English king ['His wrongs, killings, violence, pillage, arson, imprisonment of prelates, burning down of monasteries....'] follow directly the lines quoted above. Duncan (trans.), *The Declaration of Arbroath*

[10] *Ibid.*

[11] G. W. S. Barrow, *Robert the Bruce*, pp. xx-xxii. Quoted in Edward J. Cowan, 'Identity, Freedom and the Declaration of Arbroath', in Broun, Finlay and Lynch. (eds) *Image and Identity*, p. 41. Barrow stated that 'it was in fact the nearest approach to the later concept of a nation or national state that was possible in an age when....a kingdom was first and foremost, a feudal entity, the fief....of its king.'

[12] Reynolds, 'Mediaeval *Origines Gentium*,' p. 390. Reynolds makes an interesting case for how some early writers did not distinguish the tracing of a people's descent from the tracing of a king's genealogy. At some point the *origines gentium* became intrinsically linked with the descent of the royal dynasty.

impossible, to pin down the exact moment when the Scottish nation (or any nation for that matter) first emerged or when a national consciousness and identity sprang forth for the first time. It is possible however, and fruitful, to trace the evolution, the transmission and incorporation of and the shifts in, such concepts as 'nation,' 'race' and 'nationality' as early writers began to articulate more fully their theories, laws and perceptions.

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Scholars have struggled with various complementary and opposing concepts of nationhood and nationalism for years. As political, social and cultural trends evolve, transformations occur in the emphasis placed on various aspects of society which have come to dominate, perhaps more problematically delineate, nationhood.[13] Such shifts have undoubtedly contributed to changing attitudes in various scholarly studies of national identities coming out of a wide-range of academic disciplines. However, the lasting influence of eighteenth- and nineteenth-century concepts of nation and nationalism remain central to the study. The result for the most part has been the application of modern values to mediaeval institutions and concepts; until recently the consensus had been that 'nations,' 'states' and 'nationalism' did not exist prior to the eighteenth century.[14] Joseph Strayer wrote that "the roots of modern European states go back to the barbarian *regna*" apologetically adding that he used the "Latin term for these units because the English word "kingdom" carries too many overtones of an organized state."[15] Strayer added that "it is not surprising that the *regnum* had little resemblance to a state, for, in the early Middle Ages, it is doubtful that anyone had a concept of a state."[16] It is clear that the mediaeval state, more importantly for this study the mediaeval nation, needs to be examined within the context of the political, social and cultural environment from which it emerged. Moreover, it is necessary to show that not only was the mediaeval mind in tune with this environment, it was also capable of articulating

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[13] A point I belabour in the 'introduction' to this thesis. It should be noted that 'institutions,' i.e. government, church, systems of trade and finance, etc., were important, albeit differently, to mediaeval concepts of nationhood.
[14] See n. 6 above.
[15] Joseph R. Strayer, *Mediaeval Statecraft and the Perspectives of History*. (New Jersey: Princeton University Press, 1971) p. 341
[16] *Ibid.*, p. 342.

ideas and theories of statehood as well as principles pertaining to national and international institutions.

Susan Reynolds recently argued that, "the ideas about peoples and their laws and customs, and about their sanctity and duties of kingship, which were current in the tenth century, were already old by then.....Well before then....a new synthesis of traditional ideas and new practices had begun to appear."[17] At the turn of this century, A. J. Carlyle demonstrated that most mediaeval political theorists drew their concepts from the early Church Fathers or from Roman jurists.[18] Carlyle's argument, that implicit in the writings of the Roman jurists was the intention to better understand the world they lived in and the social constructs which helped define their place in that world, stands out.

> But in the main it would seem that it is best to regard the lawyers not as professed philosophers but rather as intelligent and able men, who when they turned from the sufficiently engrossing practical work of the interpretation and application of the law to the changing conditions of Roman Society and speculated upon the foundations of Society and social life, took up the conceptions current among educated men.[19]

As the needs of a society changed and conceptions of polities and 'national' boundaries shifted, lawyers and political theorists became more and more aware of the need to redefine, reinterpret and re-establish common principles of social interactions between 'nations' and states.

Thus, Gaius the second-century C. E. Roman jurist wrote that "the law which natural reason makes for mankind is applied in the same way everywhere.....it is called *ius gentium* because it is common to every nation."[20] Gaius believed that the *ius gentium* was "coeval with the human race—*et quia antiquius jus gentium cum ipso genere humano proditum est*"[21] and that property, in its relation to natural equality, was closely

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[17] Susan Reynolds, *Kingdoms and Communities in Western Europe, 900-1300.* 2nd ed. (Oxford: Clarendon Press, 1997, p. 261.

[18] A. J. Carlyle, *A History of Mediaeval Political Thought in the West*, Vol. 1 (Edinburgh: James Blackwood and Sons, 1903)

[19] Carlyle, *A History of Mediaeval Political Thought in the West*, Vol. 1, p. 34.

[20] W. M. Gordon, O. F. Robinson (trans.) with the Latin text of Seckel and Kuebler, *The Institutes of Gaius*, Book 1.1, (London: Duckworth, 1988) hereafter *Inst.*, p. 20.; Gordon and Robinson explain in their 'Vocabulary' at the back of the text that they translated *ius gentium* as 'law of all peoples' because it 'is somewhat less confusing than the more literal 'law of nations' which suggests public international law.'; According to Carlyle, for Gaius the *ius gentium* 'is primitive, universal, rational, and equitable.' Carlyle, *A History of Mediaeval Political Thought in the West*, pp. 37-38.

[21] T. Mommsen, P. Krueger and A. Watson (eds.) *The Digest of Justinian.*, (Philadelphia: University of Pennsylvania Press, 1985) hereafter *Dig.*, xli. 1. 1

attached to it [the *ius gentium*].[22] Unlike his successors, Gaius did not attempt to separate his *ius naturale* from his *ius gentium*; he saw the one as an extension of the other. Ulpian,[23] on the other hand quickly drew such a dinstinction: the "*ius naturale est, quod natura omnia animalia docuit….ius gentium est, quo gentes humanae utuntur*—natural law is that which nature has taught to all animals……the law of nations is that which the human race observes."[24] Moreover, Ulpian and many of his contemporaries connected slavery to the *ius gentium* "*qua quis dominio alieno contra naturam subicitur*—whereby someone is against nature made subject to the ownership of another."[25] Ulpian's concepts of natural law and his binding of slavery and manumission to the *ius gentium* are interesting on their own, but only have slight relevance to this study. On the other hand, the concept of property rights and man's right by natural law to own that of which he already has 'usufruct' are interesting for how they were adopted and re-interpreted centuries later. Furthermore, his linking of the *ius gentium* with the introduction of class or social strata into society lends credence to the argument that these lawyers sought to understand the principles which govern human interactions and to delineate the institutions, as they understood them, that best represented societal boundaries. Ulpian states:

> But after slavery came in by the *jus gentium*, there followed the boon (*beneficium*) of manumission. And thenceforth, we all being called by the one natural name 'men,' in the *jus gentium* there came to be three classes [*genera*]: free men, and set against those slaves and the third class [*genus*], freedmen, that is, those who had stopped being slaves.[26]

The closeness in phraseology between the early Church writers, Roman Jurists and many mediaeval writers such as Isidore of Seville reflects a tradition of adopting, incorporating, and reapplying early political theories and laws to contemporary situations and attitudes.[27]

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[22] Carlyle, *History of Mediaeval Political Thought in the West*, pp. 37-38; See also *Dig.* xli, 1.1,1.3, 1.5

[23] Ulpian wrote near the end of the second century C. E.

[24] *Dig.*, i. 3 and 4; Two other second-century century lawyers, Tryphonius and Florentinus, argued along similar lines. *Dig.*, xii. 6.64; *Dig.*, i. 5. 4.

[25] *Dig.*, i. 5. 4.

[26] *Dig.*, i.1.4.

[27] Hermogenianus, writing in the fourth-century C. E. states that: '…..As a consequence of this *jus gentium*, wars were introduced, nations differentiated, kingdoms founded, property individuated, estate boundaries settled, buildings put up, and commerce established— *Ex hoc iure gentium introducta bella, discretae gentes, regna condita, dominia distincta, agris termini positi, aedificia collocata, commerçium…..institutae.*' (*Digest of Justinian, Corpus Juris Civilis*, i.1.5.) St. Isidore of Seville used similar phraseology in his construct of a *ius gentium*: 'The law of nations is the seizing, building, and

The *ius gentium* as a 'universal law' accepted by the human race [*gentes humanae*][28] stands out for its reflection on the cosmology of a second-century writer. That it still held similar meaning in the seventh century is significant. Isidore's *ius gentium* highlighted the contemporary vision of 'nationhood' and the belief in maintaining a nation's racial purity "*conubia inter alienigenas prohibita*—right of intermarriage with foreigners prohibited."[29] That he borrowed, altered and adapted the writings of his predecessors to suit his, and arguably that of his contemporaries',[30] perception of the world highlights the growth and evolution of political thought at this time. We are able to see how fluid such political thought is through the means in which various authorities applied it to justify their political and often imperial endeavours. Moreover, the intellectualization of such social constructs acknowledges the depth and advancement of the mediaeval mind; the perhaps astonishing fact is the way in which the people on the ground (i.e. non-theorists) came to implicitly adopt similar perceptions.[31]

That such thought was enduring is evident by its existence in one form or another right through until the sixteenth century. Later mediaeval writers such as John of Salisbury, Vincent de Beauvais, Marsiglio of Padua, William of Occam, and St. Thomas Aquinas articulated ideas of state and / or reflected on a *ius gentium*.[32] For most of these theorists, the mediaeval state was divine in origin designed for the purpose of maintaining justice. We may take Henry de Bracton's examination of the 'needs of a king'(*Quae sunt*

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fortifying of settlements, wars, captivities, servitudes, postliminies, treaties of peace, truces, the obligation not to violate an ambassador, the prohibition of intermarriage with aliens. And [it is called] *jus gentium* because nearly all nations observe it. —*Quid Sit Ivs Gentivm. Ius gentium est sedium occupatio, aedificatio, munitio, bella, captivates, servitutes, postliminia, foedera pacis, indutiae, legatorum non violandorum religio, conubia inter alienigenas prohibita. Et inde ius gentium, quia eo iure omnes fere gentes utuntur.*' (Etymologiarum Lib. V. vi) For discussion on these writers see Carlyle, *The History of Mediaeval Political Thought in the West*, p. 42; See also Reynolds, *Kingdoms and Communities*, chapters 1-2, 8.

[28] *Inst.*, i.2.2

[29] *Etymologiarum*, Book 5. vi.

[30] Carlyle notes that in the writings of St. Isidore there is 'little of the character of an original production.....indeed this fact rather increases than diminishes its importance.....he is giving us not merely his own judgments but the generally current conceptions of his time. Carlyle, *History of Mediaeval Political Thought in the West*, p. 107. It is interesting to note that in the later Middle Ages stretching into the early Modern period Isidore's ideas were being read, accepted and challenged by writers such as Aquinas and Vitoria.

[31] See Reynolds, *Kingdoms and Communities*, pp. 319-330.

[32] A. J. Carlyle's *History of Mediaeval Political Thought* offers perhaps the best survey of these writers. See also Ewart Lewis, *Mediaeval Political Ideas*, 2 Volumes. (London: Routledge and Keegan Paul,

regi neccessaria) in support of this argument. Bracton stated in his *De Legibus et Consuetudinibus Angliae*:

> To rule well a king requires two things, arms and laws.....if arms fail against hostile and unsubsubdued enemies, then will the realm be without defence; if the laws fail, justice will be extirpated, nor will there be any man to render just judgment (*nec erit qui iustum faciat iudicium*).[33]

The differentiation found in the writings of early political theorists from Isidore to Vitoria, including Aquinas, Occam and Marsiglio of Padua, between a *ius* and a *lex* reflected the idea that a *ius* connoted something that was inherently 'just' (*iustum*).[34] The *ius gentium* according to Occam rested on the principle that "all people, and particularly all rational peoples, use such law." More importantly, Occam believed that the *ius gentium* was not immutable, nor could change occur according to the will of men, rather changes in the rights inherent in a *ius gentium* occurred according to the changes in the circumstances "to which those wills responded."[35] In other words, contemporary thought held that principles and laws governing national and international relations shifted according to changes in political and social circumstances. It is clear by such distinctions that the mediaeval mind was in tune with the ever-changing political, cultural and social contexts of the time. Moreover, many writers clearly articulated principles and ideas which governed concepts of statehood and the relationships between various states. The events surrounding the discovery of the New World and the relationship between the 'conquerors' and the 'conquered' stand out as a recognizable, albeit later example, of political theory put into practical application.

The sixteenth-century theologian Francissco de Vitoria took up phraseology similar to Isidore in his espousal of a *ius gentium*. Vitoria states "*ita de jure gentium dicimus, quod quoddam factum est ex communi consensu omnium gentium et nationum*—thus we say about the law of nations, that a certain thing [*ius gentium*] is

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1954).; Also Cary J. Nederman & Kate Langdon Forhan (eds.) *Mediaeval Political Theory—A Reader: The Quest for the Body Politic, 1100-1400.* (London: Routledge, 1993)

[33] *Bracton De Legibus et Consuetudinibus Angliae*, Vol. II, ed. Samuel E. Thorne. (Massachusetts: Selden Society, The Bellknap Press of Harvard University Press, 1968) pp. 18-19.

[34] Carlyle, *Mediaeval Political Theory in the West*, Vol. V. pp. 41-42.; See also Thomas Gilby, *The Political Thought of Thomas Aquinas*, (Chicago: University Press, 1958); Arthur McGrade, *The Political Thought of William of Ockham.* (Cambridge: University Press, 1974); Alan Gewirth, *Marsilius of Padua: Defender of Peace*, 2Vols., (New York: Columbia University Press, 1951)

[35] Arthur McGrade, *The Political Thought of William of Ockham.* (Cambridge: University Press, 1974); Lewis, *Mediaeval Political Ideas*, Vol. I,

made by the common consent of all [peoples?][36] and [nations?]."[37] Two ideas stand out in Vitoria's conceptualization of the *ius gentium*: first, the manner in which he borrowed from Isidore and by default Gaius and Hermogenianus; second, the means in which he applied his theory to counteract the justifications of the Castilian crown's design to 'dispossess the barbarians' in the New World.[38] It is the latter that has the greatest bearing on this study. English and Scottish chronicle sources suggest that in the eleventh and twelfth century English monarchs seeking to consolidate their kingdoms and to extend their authority set out on imperialistic endeavours with clear intentions of dispossessing the 'barbarians' in their peripheries.[39] While many of the early writers clearly distinguished a *ius*—a law which was universal, provided justice and of 'divine and immutable character'—from a *lex*,—a law of state, derived by the people (*populus*) and whose power is vested in the authority of those people,[40] the greatest distinction came not from the theorists, but from the practical interpretation and application of such laws and principles. For William of Occam at least, mediaeval custom and ever-changing political and social attitudes significantly influenced the interpretation and re-interpretation of the 'Higher Laws', including the *ius gentium*.[41] However, it was the ambitions of a king or an emperor[42] that often tested the theories and principles of the *ius gentium*.

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[36] The Latin words *gens*, *gentes* and *natio*, *nationis* will be discussed below.

[37] Antonio Truyol Serra, (ed.), *The Principles of Political and International Law in the work of Francissco de Vitoria*, (Madrid: Ediciones Cultura Hispanica, 1946), pp. 52-53; Anthony Pagden and Jeremy Lawrance (eds.), Francissco de *Vitoria: Political Writings* (Cambridge: University Press, 1991), pp. xv-xvi, 40, 264; J. H. Burns. *The Cambridge History of Medieval Political Thought, c. 350-c. 1450.* (Cambridge: University Press, 1988)

[38] See Pagden, *Spanish Imperialism and the Political Imagination*, (New Haven: Yale University Press, 1990), pp. 13-36.

[39] For example, English chronicle accounts consistently characterize the Scots as *barbarae gentes*. See chapter two below.

[40] For an overview of this see Carlyle, *A History of Mediaeval Political Thought in the West*, pp. 63-75; Vitoria states that 'the law of nations (*iius gentium*) does not have the force merely of pacts or agreements between men, but has the validity of a positive enactment (*lex*). In his *On Civil Power, 3.4*, Vitoria argued that the *ius gentium* was a set of 'precepts enacted by the power of the whole world, which is in a sense a commonwealth.' Pagden and Lawrance, (eds.) *Vitoria: Political Writings*, pp. 40, xv-xvi.

[41] See Max Shepard, 'William of Occam and the Higher Law' in *American Political Science Review*, Vol. XXVI., No. 6 (1932), pp. 1013-1023. Shepard argued that for Occam the rights recognized under the *ius gentium* 'can be adapted to changing circumstances, can be suspended under emergency conditions, just because they are essentially human and social.'

[42] Occam's theories were to a large extent influenced by his connection to Emperor Lewis of Bavaria.

Vitoria (and his predecessors) saw the *ius gentium* as being universal; it applied to the entire "*gentes humanae,*" "*ex communi concensus.*" The contemporary debate over whether the Spanish had the right to ownership in the New World rested on the principles of *in iure inuentionis* and the *ius gentium.* Simply stated, the Castilian Crown claimed ownership over the Americas through the right of discovery and by natural law and the law of nations which state that "all things unoccupied or deserted become the property of the occupier according to the *Ferae bestiae.*"[43] In response to this, Vitoria argued based on his rendering of the *ius gentium* that the Spanish did not possess such a right.[44] Accordingly, "the barbarians possessed true public and private dominion" and "since the goods in question here had an owner, they do not fall under this title [*Ferae bestiae*]."[45] Domingo de Soto gave Vitoria's interpretation even more currency:

> .....[even if the Indians] regard such treasures [i.e., their gold and silver deposits] as things abandoned, because the law of nations established a division between different regions, even if the inhabitants of that region hold such things in common, foreigners cannot take possession of them without the consent of those who live there. For neither can the French enter into Spain for the same purpose, nor can we enter into France without the permission of the French.[46]

In the minds of De Soto and Vitoria the *ius gentium* sought to uphold the sovereignty of nations. The fact that they could conceive of this notion speaks volumes. Still, the authority to bend such laws to suit specific political ends rested not with political theorists but the sovereign who governed. As such, the Castilian crown saw the *ius gentium* as a set of principles held between various 'civil societies,' defined by the institutions they possessed and the level of commerce and trade they achieved. In their minds, the *ius gentium* provided them with the right to dispossess the barbarians. The difference being left to interpretation, Gaius and Hermogenianus saw nations giving rise to property and ownership; conversely, the authorities seeking to use such laws viewed property as being the institution that distinguished 'civil society' and nationhood from barbarism. The distinction ever so slight conceptually was miles apart in its practical application. Arguably, perception of whether or not a 'group' constituted 'civil society'

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[43] Literally 'untamed' or 'wild beast,' a pejorative not dissimilar to barbarian in its later application.
[44] Pagden and Lawrance (ed.), *Vitoria: Political Writings*, pp. xv-xvi, xxvi-xxvii. Vitoria argued that the Spanish had the right to 'natural partnership and communication' along the lines that Spain and the residents of the New World could establish mutual links including trade, right of access, the Spanish could preach their religion and they both possessed the right to wage 'just war in defence of the innocent against tyranny.' This was the *ius gentium* applied according to Vitoria.
[45] Pagden, *Spanish Imperialism*, p. 27.

influenced the behaviour of those who undoubtedly perceived themselves along those lines. Moreover, such perceptions justified imperial endeavours, inspired xenophobic writings and encouraged group consciousness through a distinction of differences. Similar to the Spanish experience in the New World, English and, to a lesser extent, Scottish 'imperialists' of the Middle Ages justified their policy of expansion based on a similar attitude of assimilation and inferiorization. Ultimately, this political thought reinforced stark distinctions of national identities based on an 'us and them' mentality and as a result recognitions of national distinctiveness became more pronounced and more readily defended. This practice was not the product of sixteenth-century thought; much like the concept of *ius gentium*, it existed in various forms throughout the Middle Ages.

My intention thus far has not been to render a detailed analysis of mediaeval and early modern political thought. Rather, it was to show that such complex notions of state and the institutions that define them are ever changing, subject to reinterpretation and part of a process of reinventing social constructs. Certainly this has great significance for understanding national identities in the Middle Ages. First and foremost it is clear that the mediaeval mind was capable of dealing with complex ideas of state and nationhood and that there was no shortage of writings articulating such thought. Undoubtedly, contemporaries recognized that current (i.e. current to that time-period) events influenced contemporary perceptions of state, race, and self. Furthermore, the tradition of building upon previous ideas, incorporating them, though not necessarily imposing them, in such a way as to reconnect the past with the present stands out in the process of understanding human relations on both a national and international level. As such, national identities cannot be pinned down but must be understood as a continuous conceptualization of both constant and shifting ideas.

Moreover, language and terminology has to a degree increased the level of difficulty in the study of national identities. The inability to use terms and concepts that are recognizable to the modern reader without imposing current values on the past has contributed to the grand pronouncements made by many scholars of the lack of nation,

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[46] *Ibid.*, p. 27.

nationality, national identity and nationalism before the French Revolution.[47] Although, the majority of all surviving texts from the period under discussion come down to the present in their original Latin form, there are a number of sources in the vernacular which contain examples of an early usage of the Old English *nacioun*.[48] It is clear from these sources, which include the highly nationalistic poem, *The Brus*, written in the Scots vernacular near the end of the fourteenth century, that by this time contemporaries shared a common sense of what this word meant.[49] It is equally clear that the OE *nacioun* bore a meaning strikingly similar (at least comparable) to the Latin *natio* and the modern English equivalent 'nation.' Nonetheless, the study of national identities during any period invariably forces the researcher to focus on the origins and development of nationhood, the *when?* and *who*? argument discussed earlier. Thus, when confronted with the problems of terminology and word usage that generally arise in the study of national identities, it may be helpful to look at Elizabeth Brown's analysis of the historian's use of such terms as 'feudalism' and 'feudal system' as a possible exemplar. As Brown argued, more often than not, modern applications of a term lead to misleading or entirely inaccurate conclusions about similar concepts in the past.[50] On the other hand, Fredric Cheyette's assertion to maintain the current usage of the term 'feudalism' because the 'verbal detours one would have to make to replace it would be strained as well as disingenuous'[51] is very persuasive. National identities, as most historical entities, must be studied within the context where they are found together with the perceptions, attitudes, and characteristics that contemporaries defined them. If we accept Strayer's argument that modern European states have their origins in the 'barbarian' *regna* of the Middle Ages we need to understand how contemporaries viewed such *regna* or kingdoms.

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[47] See above pp. 3-6, n. 13, 21.

[48] *OED*, 231-232. The *OED* lists the following forms, naciun (e, -cioun), nacion (-one), nacyon, natyon, natioun, naceoun, nation. It gives as its first definition "an extensive aggregate of persons, so closely associated with each other by common descent, language, or history, as to form a distinct race or people, usually organized as a separate political state and occupying a definite territory." It also notes that in the early examples, the idea of race is stronger than the political. p. 231.

[49] *Ibid.* The first two examples given are from *Cursor M.* 241: 'Of Ingland the nacion Es Inglis man þar in commun'; 'All naciun and lede aght vr lauerd for to drede.'; Another example taken from the Selected Works of Wyclif, III. 393., reads þo gospels of Crist written in Englische, to moost lernyng of our nacioun.' Barbour writes in his poem *the Brus*, I, 193, 'Schyrreffys and bailzheys...He [Edward I] maid off [the] Inglis nation' to uphold his rule in Scotland.

[50] See Brown, 'Tyranny of a Construct' pp. 1064-1065.

Therefore, it is necessary to deal with the current trend of delineating causes and determinants of nations and national identities while taking great pains to avoid the use of such words as 'nation' or 'national' to describe early polities and state affairs.

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Brown demonstrated the problems with taking a twelfth-century term and fashioning it to suit more recent historical constructs. Yet the current use of the word 'nation' is a redaction of an ancient word (*natio*) with newer values, meanings and connotations. The Latin *gens, gentis* and *natio, nationis* have multiple English equivalents: for example, race, tribe, nation or people. While there was occasion to use the term *natio* prior to the seventeenth century,[52] for the most part scribes and scholars more frequently used *gens, gentis*. How modern scholars approach the use of these words is important for understanding how their interpretations come to pass; how early chroniclers, royal scribes, and various literati used these words is crucial to understanding contemporary perceptions of self, nation and neighbour (in this sense, neighbouring nations). Unlike Rees Davies who suggested mediaeval scribes used the terms, *gens, natio, and populus* 'hap-hazardly'[53] I would argue that despite the occasional interchangeable usage, most scribes and arguably most people in the Middle Ages applied the terms as they saw fit, perhaps to distinguish one from another.[54] A basic modern equivalent would be our current use of 'nation,' 'state,' and 'country.' All have similarities and only slightly more nuanced differences. Only to the theorist would these differences seem to be fundamentally important.

In his Etymologies, the seventh-century author Isidore of Seville distinguished the etymological differences between *gens* and *natio*. He wrote that '*gens autem appellata propter generationes familiarum, id est a gignendo, sicut natio a nascendo*—a *gens*

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[51] Frederic L. Cheyette, 'Some Notations on Mr. Hollister's Irony', in *Journal of British Studies*, 5 (1965), p. 4.

[52] One example of this is in Ralph de Diceto's description of the Scots and Welsh as '*barbaris nationibus Scotiis...et Walensibus.*' *Radulfi de Diceto Decani Lundoniensis Opera Historica*, ed. W. Stubbs (Rolls Series, No. 68 1858) Others include the description of Robert of St. Albans as being *genere et natione Anglicis* discussed in the introduction to this thesis; Vitoria's distinction between *gentium* and *nationum* stands out as well.

[53] R. R. Davies, 'Peoples of Britain and Ireland, 1100-1400: Identities', p. 5

however is named for the descent of families, it is from *begetting*, whereas *natio* is from *giving birth.*'[55] The line preceding this reads '*gens est multitudo ab uno principio orta, sive ab alia natione secundum propriam collectionem distincta, ut Graeciae, Asiae*—a *gens* is a multitude rising from one beginning, whither distinct from another *natio* in terms of its own aggregation, such as Greece and Asia [Minor?].'[56] The fact that Isidore could at varying times use these words synonomously, with only an implied sense of differentiation, suggests that he accorded them with a similarity in definition. As Reynolds has argued, increasingly during the Middle Ages it was taken for granted that "each 'people' of their own day—and that seems to mean the whole population of an area, and quintessentially of a kingdom—was of one single descent."[57] Regardless of any language, law and cultural distinctions within a kingdom the perceived descent of the *gens* or *natio* became increasingly singular.

The term *gens* had already taken on a political and geographical sense in the Classical era. Cicero in one of his many inflammatory attacks on Catiline, exclaimed "O dii immortales, ubinam gentium sumus!—O immortal gods, where in the world are we!"[58] But while the Romans more commonly used *gens*, the word *natio* became increasingly important for distinguishing one region from the next. Caesar writes in his *Gallic Wars*:

> '*iniurae retentorum equitum Romanorum rebellio facta post deditionem, defectio datis obsidibus, tot civitatum coniuratio, in primis, ne hac parte neglecta reliquae nationes sibi idem licere arbitrarentur*—Such were the outrageous detention of Roman knights, the renewal of war after surrender, the revolt after hostages given, the conspiracy of so many states, and above all, the fear that if this district were not dealt with the other nations might suppose they had the same liberty.[59]

Tacitus also used this linguistic device:

> '*ita nationis nomen, non gentis, evaluisse paulatim, ut omnes primum a victore ob metum, mox et a se ipsis invento nomine Germani vocarentur.*—in this manner the name *nationis* not *gentis*, prevailed, until the whole people were called by the artificial name of 'Germans' first only by the victorious in order to intimidate [the Gauls], but afterwards among themselves also.'[60]

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[54] See below this page and next.
[55] Etymologiarum, Lib. IX, ii, 2.
[56] *Ibid.*, Ovid in his *Metamorphoses* writes of Nileus' boast to Perseus of his descent from the Nile River "'adspice," ait, "Perseu, nostrae primordia gentis.'" Book V, 190.
[57] Reynolds, 'Mediaeval *Origines Gentium*' p. 380.
[58] Cicero, 1 *Catiline* 9
[59] Caesar, *The Gallic War*, H. J. Edwards (trans.) (Massachusetts: Harvard University Press, 1970), Book III, 12-16.
[60] Cornelii Taciti, *De origine et Situ Germanorum*, J. G. C. Anderson (ed.), (Oxford: Clarendon Press, 1970), 2.14.

Cicero used the two terms to distinguish common descent from political or social organization.

> *Gradus autem plures sunt societatis hominum. Ut enim ab illa infinita discedatur proprior est eiusdem gentis, nationis, linguae, quae maxume homines coniunguntur*—there are nonetheless many degrees (levels, grades?) in human society. For instance, from this infinite there are separated certain races, nations, languages, by which leading men are bound together closely.[61]

Arguably, as many early states became heterogeneous in racial, linguistic and cultural make-up, a need to differentiate between a politically-based organization and a 'people' gave way to usage of various, yet increasingly interrelated, terms. Furthermore, as nations and states increasingly consolidated their territories and fixed their boundaries a dependency on terminology to differentiate between one nation or state and another became a fundamental part of *inter* national relations. At an early stage *Regnum*, with its specifically geographical meaning, became closely associated with both *gens* and *natio*. G. A. Loud argued that:

> *Regna* were the properties of *nationes*, but the latter were not simply peoples. The concept of nation and *regnum* implied both geographical and legal, as well as, sometimes instead of, blood relationships. A nation would be made up of several *gentes*, usually related to each other, but none the less separate and distinct.[62]

As in Classical examples, usage of these words in the Middle Ages depended largely upon the context and the purpose of the writings. Thus, as identities became increasingly bound up in the idea of the political sovereignty of a region and the protection of the liberties of all living within that region, *gentes*, *nationes* and *regna* began to resemble more modern notions of nationhood. Coinciding with such visions of 'nations' were accompanying pejorative distinctions between one kingdom or 'nation' and another. In

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[61] M. Tulli Ciceronis, *De Officiis, Libri Tres*, Hubert Ashton Holden (ed.), (Cambridge: University Press, 1899) 17.53. The Loeb edition reads 'Then, too, there are a great many degrees of closeness or remoteness in human society. To proceed beyond the universal bond of our common humanity, there is the closer one of belonging to the same people, tribe, and tongue, by which men are very closely bound together. Cicero, *De Officiis*, Walter Miller (trans.) (Massachusetts: Harvard University Press, 1963) XVII.53. It should also be stressed that Cicero's gradation of human society was largely influenced by contemporary perceptions of state and social hierarchy. He stressed that 'it is a still closer relationship to be citizens of the same city-state.' He then proceeds through the relationships between man and wife, parents and their children, extended familial ties, leading up to the creation of states by the propagation of families who grow to such an extent (naturally and by marriage) that they are forced to build colonies. The main purpose is to show how common descent leads to the creation of states, hence *gens* from *gignendo*. It is not coincidental that this led Cicero to conclude that 'there is no social relation among them all more close, none more dear than that which links each one of us with our country (*quae cum re publica est uni cuique nostrum*) XVII.54-57.

this manner, a process of inferiorization began to dominate geographical and racial perceptions of the regions highly coveted by kings. To place this within a context, differentiation based on 'civil society' race, culture, language, law, and inevitably concepts of nationhood became part of a language of imperialism in both Scotland and England during the twelfth through fourteenth centuries.[63]

But given the problems associated with terminology, definition and delineation there may be something to Rees Davies' argument that "the sense of being a people is merely the illusions of intellectuals and the propaganda of politicians."[64] We may circumvent this by acknowledging that the application of a term and the rendering of a definition follows the existence of that which we define and label.[65] In other words the intellectualization of nationhood and the construction of images and identities follows the self-recognition of a group as distinct and unique, delineated not solely on the basis of terminology, but by the characteristics they embody and the institutions they create. As such, the use of *gens* or *natio* to describe a group matters less on how it is translated and more for the idea it conveys, namely collectivity. We may take the passage in the Declaration of Arbroath quoted at the beginning of this chapter to reflect the idea that the nation of Scots initially transcended the geographical and political boundaries that remain fundamental to our current perceptions of nationhood. Moreover, we can glean from this document a transformation occurring in the identity of the nation of Scots whereby geography and political sovereignty began to play a more crucial role. Such an evolution reflects an expansion of an identity which began prior to the Wars of Independence, but to which those wars gave greater impetus. One reason for this is that with the exception

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[62] G. A. Loud, 'The Gens Normannorum—Myth or Reality' pp. 108-110.

[63] See John Gillingham, 'The Beginnings of English Imperialism' in *Journal of Historical Sociology*, V (1992) pp. 392-409. Gillingham writes 'One of William Malmesbury's most creative and influential achievements was to introduce this imperialist perception of Celtic peoples into history.' P. 397

[64] Davies, 'The Peoples of Britain and Ireland, 1100-1400, I: Identities' pp. 2-3.

[65] See Anthony Lodge, 'Literature and History in the *Chronicle* of Jordan Fantosme' in *French Studies* Vol. XLIV (1990), pp. 257-270, especially p. 258. S. Fleischmann 'On the Representation of History and Fiction in the Middle Ages' in *History and Theory* Vol. 22, (1983), pp. 278-310. Lodge argued that 'Reality is deemed to have its own autonomous shape prior to human perceptions of it and prior to its analysis by language. Language functions merely as a nomenclature, as a device for labeling external reality.' William of Occam believed that the 'Higher Law', more specifically the inherent rights under the *ius gentium* were 'not political creations of the state or government, but [were] prior logically, legally, and often temporally, to the state.' This is not to say that states did not exist in Occam's mind, quite the contrary, rather that such 'Higher Laws' existed prior to the formation of states and societies. See Shepard, 'William of Occam' pp. 1015-1016.

of a few incidents in the twelfth century, most notably the Treaty of Falaise, the threat to Scottish political sovereignty was confined to the rhetoric of English kings and nobles. Clearly, geography and the political independence of a *gens*, *natio* and / or a *regnum* increasingly influenced identities in the Middle Ages while threats posed to such independence gave rise to early expressions of nationalism.

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From as early as the reigns of Henry I (d.1135) and David I (d. 1153) there were concerted efforts to establish a strong and lasting border between Scotland and England.[66] After the Battle of Carham *c.*1018 the Scots continuously pressed their claims in Northumbria, Cumbria and Westmoreland until 1237 when Alexander II of Scotland and Henry III of England signed the Treaty of York fixing the border along the Solway-Tweed line. For as much as consolidating the kingdoms of Scotland and England was a part of twelfth-and-thirteenth-century Anglo-Scottish relations, awareness of the geography and boundaries of the English and Scottish kingdoms was a part of their regnal or national identities. A chronicler associated with the court of king Stephen wrote that "*erat rex in Scotiae, quae confinis est Angliae, fluvio quodam certis limitibus duo regna determinate*'—there was a king in Scotland, which is conterminous with England, a certain river dividing the two kingdoms with a definite boundary."[67] Separation and distinction of the two kingdoms functioned in a similar manner to separation and distinction of race and nationality in the Middle Ages. As such this chronicler could also write:

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[66] Expansion and consolidation dominate the history of Scotland from 500 C. E. to the mid-fourteenth century. During the period following Cináed mac Alpín's rule right through to the Battle of Carham ca. 1018 and on to the Treaty of York there was a steady increase in English intervention (interruption?) in Scottish domestic affairs. Undoubtedly, Malcolm II's victory at Carham instigated a period of Scottish reaction to English advances, plateauing in 1092 at Alnwick, but regaining vigour after the two treaties of Durham (1138-9). See B. T. Hudson, *Kings of Celtic Scotland* (Connecticut: Greenwood Press, 1994) for an excellent analysis of the period preceding the Canmore dynasty. See also Geoffrey Barrow, *Feudal Britain* (London: Edward Arnold, 1956) and A. A. M. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh: Oliver and Boyd, 1975) for general surveys on the consolidation of the Scottish kingdom. See also Geoffrey Barrow's chapter on 'The Anglo-Scottish Border' in *Kingdom of the Scots* (London: Edward Arnold, 1973), pp. 139-161.

[67] Alan Orr Anderson, *Scottish Annals from English Chroniclers, A. D. 500-1286*, (Stamford: Paul Watkins, 1991) hereafter Anderson, *Annals*. p. 176; See also '*Gesta Stephani Regis Anglorum*,' in *Chronicles of the Reigns of Stephen, Henry II., and Richard I.* Vol. III, R. Howlett (ed.) (4 Vols. Rolls Series, No. 82, 1858) p. 34

> *Est autem Scotia, quae et Albania dicitur, regio locis palustribus circumsepta, silvarum fertillium, lactis et armentorum copiosa, portubus salubribus, insulis opulentis; sed incolas barbaros habens et impuros, nec nimio frigore fractos, nec aspera fame detritos, citis pedibus levique armaturae confidentes.*—Now Scotland, which is also called Albany, is a district closed in by marshes and abounding in fertile woods, in milk and cattle, and begirt with safe harbours and wealthy islands; but its inhabitants are barbarous and unclean, neither subdued by bitter cold nor stunted by severe hunger; and they rely upon swift feet and light armour.[68]

Arguably this raises the question of whether or not inhabitation of a region was perceived solely as an element of racial or national distinction. Dauvit Broun's argument that notions of 'Scotland' and 'Scottish' came late to the British Isles suggests that this was not the case.[69] Yet more and more, racial distinction and perceptions of nationality came to be defined by locality and shared tradition.

This brings us back to the topic of *gens* and its various meanings and applications. G. A. Loud phrased it best when he wrote that "each individual *gens* not only had its own distinct physical characteristics but also its own innate *Geisteshaltung*."[70] As such the Romans were known for their 'gravity', the Greeks for their 'levity', the Numidians for their 'fickleness' and so on.[71] This same idea was at work during the Middle Ages. According to Helmold's Chronicle of the Slavs, the Hungarians were known to be a 'most powerful *gens*', the Bavarians were known for their 'piety and respect for the priesthood, while the Poles and Bohemians stood out for their 'cruelty in foreign wars' and their desecration of holy places.[72] Similar distinctions are commonplace in English and Scottish chronicles. But a shift occurred sometime during the twelfth century whereby racial distinctions became more nationally or regnally focused in chronicle accounts. Racial heterogeneity remained a part of the external perception of Scotland but an 'us' and 'them' attitude, regardless of the fact that the 'them' consisted of more than one racial element, came to dominate. Moreover, as Scottish kings began to strengthen their hold on peripheral regions they increasingly saw the Scottish *regnum*, *natio* and even *gens* as being singular and unified. How this translated on the ground is fundamental to understanding early Scottish identities.

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[68] *Ibid.*
[69] Broun, 'When did Scotland become Scotland' in *History Today* XLVI (1996) pp. 16-21.
[70] G. A. Loud, '*Gens Normannorum*—Myth or Reality?' p. 110. Loud argued that Aristotelian thought dominated the mediaeval concept of race evolving to a point where 'the character of a people was becoming equated with the character of the country they inhabited.'
[71] *Ibid.*, pp. 110-111.
[72] *Ibid.*, p. 111.

Roger of Howden is an excellent source of information on twelfth-century Anglo-Scottish relations and questions of identity. Most importantly for this discussion, he is an excellent example of how external perceptions of Scotland shifted and how such perceptions came to contain a more national emphasis. It has been established that the author of the *Gesta Regis Henrici Secundi*, generally attributed to Benedict of Peterborough, was also the same person who wrote the *Chronica Rogeri de Houedene*.[73] As David Corner and others have noticed, a shift in the writings occurred when Howden moved away from the influence of the Royal court c.1190.[74] Two examples of Howden's writings stand out in particular; first, though his critics have found him 'dry and without bias or passion'[75] Howden displayed his vitriol in various accounts of the MacWilliam uprisings in Scotland; second, Roger displayed growing sympathies for the Scottish church in its fight for autonomy with the see of York.[76] This eventually translated to increasing support for an independent Scottish kingdom and the efforts of its kings. As John Gilligham argued, "only the Scottish court's western and northern enemies continued to evoke the hostile tone with which he [Roger of Howden] had once written about Scots in general."[77] Moreover, telling examples in the writings of Howden emphasize the inclusion (not only in a participatory sense) of various *gentes* in the activities of the Scottish *regnum*.[78] For example, in relating the events leading up to William I's capture at Alnwick in 1174, the *Gesta Regis Henrici* states that "the king of Scotland moved forward his army into Northumbria, and there through *his* Scots and

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[73] For arguments for and against Benedict of Peterborough and Roger of Howden being the same person see Antonia Gransden, *Historical Writing in England c. 550 to c. 1307.* (Ithaca, N. Y., 1974); David Corner, 'The *Gesta Regis Henrici Secundi* and *Chronica* of Roger, Parson of Howden' in *BIHR* Vol. LVI, No. 134, pp. 126-144; John Gillingham, 'The Travels of Roger of Howden and his Views of the Irish, Scots and Welsh,' in *Proceedings of the Battle Conference on Anglo-Norman Studies* XX (1997), pp. 151-169; D. M. Stenton, 'Roger of Howden and Benedict' in *EHR* Vol. LXVIII, 574-82.

[74] Corner, '*The Gesta Regis* and *Chronica*', pp. 139-140; Also John Gillingham, 'Travels of Roger of Hoveden' pp. 152-157. Gilligham is especially good on Howden's personal interactions with the Scottish court.

[75] *Ibid.*, p. 156.

[76] *Gesta Regis Henrici Secundi Benedicti Abbatis*, ed. W. Stubbs (2 Vols., Rolls Series, 1867) afterwards *Gesta Regis Henrici Secundi*; i, 277-278, ii, 7-9 deal with Moray; to this we can include i., 67-68,313-314, 336, 339-340 which deal with Galloway; see also i., 111, 234-235 for examples concerning the Scottish church; In the *Chronica Rogeri de Houedene*, ed. W. Stubbs (4 vols., Rolls Series, 1868-71) i., 22; ii., 63

[77] Gillingham, 'Travels of Roger Howden' p. 162; See *Gesta Regis Henrici Secundi*, ii., 8-9; *Chronica Rogeri de Houedene*, iv, 145.

[78] *Gesta Regis Henrici Secundi* i., 64-66

Galwegians acted execrably."[79] Taken alone this can only be seen as an external perception of Scotland—the kingdom and its people. I will deal more specifically with Scotland's internal colonialism and how royal administration aided in the extension of a Scottish identity to the peripheries in a later chapter. For now it is helpful to understand how various perceptions of geography, race and ethnicity came to reflect the policies of the Scottish and English monarchy and its nobility.

Questions concerning Scottish nationhood in the Middle Ages generally focus on two facets, one internal the other external: core-periphery relations, heterogeneity in race, language and custom comprise the first; Anglo-Norman and later English imperialism the second. These facets overlap to such a degree that it is often impossible to separate the two. We find in the activities of the sons of Fergus of Galloway, Uchtred and Gilbert, following William I's defeat at Alnwick in 1174 a perfect example of this. Benedict of Peterborough writes:

> But Utred, Fergus's son, and Gilbert his brother, when they heard that their lord the king of Scotland (rex Scotiae) was taken, immediately returned with their Galwegians to their own lands (*statim redierunt cum Galvalensibus suis in patrias suas*), and at once expelled from Galloway all the bailiffs and guards whom the kings of Scotland had set over them; and all the English and French whom they could seize they slew; and all the defences and castles which the king of Scotland had established in their land they beseiged, captured and destroyed.[80]

From the general tone of this account it would seem that the brothers, Uchtred and Gilbert, banded together to throw off the yoke of Scottish domination in Galloway and to re-assert Galwegian independence. But this is a far-reaching claim that would have little support in the chronicles or other evidentiary sources. Despite the apparent use of *princeps* or *regulus* to describe the rulers of Galloway in the twelfth century, any claims to vestigial royalty were kept in check by the increasing influence of the Scottish court. Moreover, the various accounts of Uchtred and Gilbert appealing to Henry II to intervene on their behalf with the purpose of changing their allegiance from the Scottish to the English monarchy refutes any pretensions to Galwegian independence. Howden writes

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[79] *Ibid.*; William of Newburgh writes 'Meanwhile the king of Scots with an endless mob of his own nation and no small band of mercenary horse and foot summoned from Flanders invaded English territory and obtained two royal castles.' *Historia Regum Anglicorum* in *Chronicles of the reigns of Stephen, Henry II, Richard I*, ed. R. Howlett (Rolls Series, No. 82) i., 181-182 '*.....rex Scottorum cum propriae gentis infinita barbarie, atque accersitorum ex Flandria stipendiariorum equitum peditumque manu non modica, fines Anglorum ingressus.*'

[80] *Gesta Regis Henrici Secundi*, i., 67-68; *Chronica*, ii, 63

that "[Uchtred and Gilbert] very urgently besought the king father of England, and offered him very many gifts, that he would snatch them from the dominion of the king of Scotland, and reduce them to his empire."[81] We know that Howden spent time in Galloway in an official capacity around 1176.[82] As such, Howden's activities in Scotland, specifically in Galloway, give his remarks on the rebellion of Uchtred and Gilbert and the roles of William I and Henry II in this matter considerable credence. What stands out in these events is that Scottish core-periphery relations broke down during posed or actual threats to the Scottish monarchy. Moreover, English involvement in these affairs heightened the difficulties of the Scottish monarchs in controlling their recently expanded kingdom.

The humiliating loss of political sovereignty in the Treaty of Falaise following William's defeat at Alnwick underlines the events surrounding the Galwegian rebellion. Andrew McDonald recently argued that the twelfth and early-thirteenth century uprisings in Scotland occurred at times when the Scottish kingdom and its monarchy were at its weakest.[83] Presumably, the appeal to Henry II to accept the allegiance of the Galwegian lords and to remove them from the 'dominion of the king of Scotland' reflects more of an attitude towards the Canmore dynasty than a belief in Galwegian independence. It is interesting that within one generation a shift in Galwegian loyalties occurred whereby its lord, Alan of Galloway emphasized his attachment to the Scottish court as Constable rather than his princely connection to Galloway.[84] Keith Stringer writes:

> Galloway's seperateness from the rest of Scotland, while in some senses very real, must not be overstated. The most influential representatives of the provincial elite identified their interests with those of the Scottish 'establishment' as a whole, and especially of the king himself....Only

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[81] *Chronica*, ii, 63

[82] See Gillingham 'Travels of Roger Howden' pp. 158-159 Gillingham lays out a convincing itinerary for Roger between 1174 and 1190 including stops in Scotland. The *Gesta Regis Henrici Secundi* states that 'the lord king sent to England one of his priests, Roger of Hoveden by name, to Robert de Vaux, that they two should meet Uhtred and Gilbert, Fergus' sons, and draw them to [Henry's] service.' i, 79-80 *Chronica*, ii, 69.

[83] McDonald, 'Treachery in the Remotest Territories of Scotland' p. 7; McDonald states 'it is pertinent to note that the timing of many, if not most, of these insurrections coincided with moments of weakness in the kingdom and monarchy....Here then were no random events, but carefully timed, and presumably orchestrated, predatory strikes against the Canmore kings in their weakest moments.'

[84] Keith Stringer, 'Periphery and Core in Thirteenth-Century Scotland: Alan, Son of Roland, Lord of Galloway and Constable of Scotland' in A. Grant and K. Stringer (eds.) *Mediaeval Scotland: Crown, Lordship and Community* (Edinburgh: University Press, 1994) pp. 82-114; Stringer appended seven of Alan's charters to the end of his chapter, six of which include the address '*Alanus filius Rollandi Scotiae constabillarius*' and one which reads '*Alanus filius Rollandi. Dominus Galuuath' Scotie constabularius'*

> when the king spurned them was their loyalty as subjects of the crown found wanting, and even then their rebellion swiftly subsided.[85]

We see from the example of Galloway that core-periphery relations in Scotland combined with imperialistic tendencies on the part of English kings makes for a more nuanced understanding of the complexities of national identities during this period. Taken as a whole, Galloway and Moray, despite the racial distinctions made in chronicle accounts, came to be seen by both the Scottish royal administration and by external viewers as parts of Scotland.

As such, Scotland's geography prompted contemporary and modern writers to conclude either implicitly or explicitly that 'the political impetus of the region would be towards provincialism.'[86] Scottish royal charters emphasized this trend in royal administration. Geoffrey Barrow's study on the development and character of early Scottish charters indicates that Scottish royal scribes followed a model set by the English chancery.[87] Still, much has been made of the Scottish 'racial address:' '*et omnibus fidelibus suis totius regni sui Francis et Anglicis et Scottis et Galwensibus*—and all his faithful of his kingdom French, English, Scottish and Galwegian.'[88] Using charters to analyze self-perceptions may be problematic on various levels including what appears to be the arbitrary use of different styles and addresses. For example, a number of charters include the royal style '*dei gratia rex Scottorum*—by the grace of God king of the Scots' while others omit the *dei gratia* opting for the more basic *rex Scottorum*. The use of

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[85] *Ibid.*, pp. 101-102.

[86] Hudson, *Kings of Celtic Scotland*, p. 5; In the preface to *The Acts of the Parliaments of Scotland*, Vol. I, 1124-1423 (eds.) T. Thomson and C. Innes (Edinburgh, 1814-187) hereafter *APS*, the editors argued that 'we have clear indications, almost within the period of record, of the existence of the following distinct and but recently united provinces:—1. Scotland proper, lying between Forth and Spey; 2. Lothian, which extended from the Forth to Northumberland; 3. Cumbria, Cumberland, or that part of it which soon took the name of Galloway, and extended from the Clyde to the Solway, with the exception of Renfrew, Lanark, and perhaps Cuninghame; 4. Moray, nearly the province which afterwards constituted the bishopric of that name; 5. Argyle, belonging to proper Scotland; 6. That part of Argyle which was attached to Moray, and included the western coasts of Inverness and Ross-shire. p. 4; Note also a letter from Pope Adrian IV 'to the Bishops of Scotland' *c.* 1153 reprinted in Haddan and Stubbs, (eds.) *Councils*, Vol. II. in which he addresses 'his venerable brethren bishops H[erbert] of Glasgow, Christian of Whithorn, R[obert] of St. Andrews, L[aurence] of Dunblane, G[regory] of Dunkeld, T. of Brechin, G[eoffrey] of Aberdeen, W[illiam] of Moray, S[imon] of St. Peter's in Ross, and A[ndrew] of Caithness. Haddan and Stubbs, *Councils*, II., pp. 231-232. See below pp. 42-49

[87] Barrow, 'The Acts of Malcolm IV, 1153-1165'' and 'The Acts of William I, 1165-1214' in *Regesta Regum Scottorum*, (Edinburgh: University Press, 1960, 1971) see especially the preface to the latter pp. 75-94; Also G. W. S. Barrow, 'The Charters of David I' in *Proceedings of the Battle Conference on Anglo-Norman Studies*, Vol. XIV, 1991. pp. 25-37.

Scottorum (i.e. of the Scots) instead of *Scotiae* (of Scotland) has also raised the question of whether or not Scottish kings were simply kings of 'a people' or over a kingdom.[89] Similar emphasis on racial distinctions, territorial designations and whether or not God ordained the Scottish monarchy occur in various English chronicles. Arguably, it was beneficial for English imperialists to see Scotland as fragmented, heterogeneous, a 'land' instead of a 'kingdom' and its ruler akin to a tribal chieftain or an under-king. But the Scottish charter evidence does not support such perceptions.

During the reign of David I (1124-1153) various charters contained the styles *David dei gratia Rex Scottorum* and *David rex Scottorum*.[90] Similar styles were used in the charters of both Malcolm IV and William I.[91] It is clear that the idea of a king of Scotland was implicit in the designation 'king of Scots' given that both styles were in use between 1124 and 1214 (and later) and given the geographical emphasis existing in a number of the charters. Take for example a charter of David I's reign notably confirming Coldingham and other lands to the Monks of St. Cuthbert at Durham. The style and address reads "*David dei gratia rex Scottorum omnibus per regnum suum in Scotia et Lodoneio constitutis Scottis et Anglis salutem*—David by the grace of God king of the Scots gives greetings to all those, Scots and English, established throughout his kingdom in *Scotia* and Lothian."[92] Compare this with a charter two years later to the church of Dunfermline of a 'toft' in the burgh of Perth. '*David dei gratia rex Scotiae omnibus fidelibus hominibus suis totius Scotiae et praepositis de Perth, salutem*—David by the grace of God king of Scotland gives greetings to all his faithful men of the whole of Scotia and the priors of Perth.'[93] As Barrow pointed out "most commonly the particular address is used for the officers or merely the inhabitants or 'responsible men' of a burgh, sheriffdom or province."[94] We might consider a few charters which best exemplify this.[95]

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[88] Lawrie, *ESC*, No. CXLI, c. 1143-144

[89] See Davies, 'The Peoples of Britain and Ireland, 1100-1400, I: Identities; Also Broun, "When did Scotland become Scotland' pp. 16-21.

[90] For example, Lawrie, *ESC*, Nos. 54, 65, 69 (*dei gratia rex Scotiae*), 84, 99, 116, 125, 134, 136, 141, contain the style *dei gratia rex Scottorum*. Nos. 67, 70, 100, 101,110, 119, 123 (*rex Scotiae*), 132, 140, 144 (*rex Scotiae*), 154 (*rex Scotiae*), 223, 232, 248, 255, except where noted followed the style *rex Scottorum*.

[91] *Regesta Regum Scottorum*, II, pp. 75-85. Barrow lists in the preface various examples of charters bearing these styles.

[92] Lawrie, *ESC*, No. 65

[93] Lawrie, *ESC*, No. 69

[94] *Regesta Regum Scottorum*, II., pp. 76-77

Charter LXIX, 1126, Registr. De Dunfermelyn, no. 25

Address:	David Dei gratia Rex Scotiae omnibus fidelibus hominibus suis totius Scotiae et praepositis de Perth, salutem
Witnesses:	Herbert (Chancellor), Hugh de Moreville
Place of Origin:	Stirling
Concerning:	Grant by King David to the church of Dunfermline of a toft in the burgh of Perth

Charter CX, 1136, Registr. De. Dunfermelyn, No. 34

Address:	David Rex Scottorum, Episcopis abbatibus comitibus baronibus vicecomitibus praepositis et omnibus probis hominibus totius Muref et Scotiae salutem.
Witnesses:	Herbert (Chamberlain) and Alwin son of Arkil
Place of Origin:	Banff (Banef)
Concerning:	Charter by King David to the Monks of Urquhart in Moray of Twenty Shillings annually from the rent of the burgh and fishings of Elgin

Charter CXXIII, 1139, Dugdale Monasticon, III

Address:	David Rex Scotiae, Comitibus, justiciariis, baronibus, vicecomitibus, ministris, omnibus probis hominibus suis totius Cumberlandiae, Franciss et Anglis et Cumbrensibus salutem.
Witnesses:	Eustace son of John, Hugh de Moreville, Ralph....Herbert (Chamberlain), Jordan (Cleric.
Place of Origin:	*Carliolum* (Carlisle?)
Concerning:	Charter by King David granting a mark of Silver annually to the monastery of Wetheral.

David I had extended royal administration into Moray by 1130, thus the first two charters seem fairly standard. Simply stated they are directed to the officers (*praepositis de Perth*) or the inhabitants of a province that the charters most significantly effect (*omnibus probis hominibus totius Muref et Scotiae*). The third charter is interesting on various levels. The region of Cumberland, often the scene of violent clashes between Scottish and English kings, had by the late 1130s fallen under Scottish control.[96] But, if we accept that the racial address implies an acknowledged racial distinctiveness (i.e. separateness) we would have to take the '*Franciss et Anglis et Cumbrensibus*' address to mean that the Cumbrians were still considered a distinct and separate race in the twelfth century.[97] It would seem that *Cumbrensibus* connoted geographical attachment (i.e. men

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[95] Lawrie, *ESC*, nos. 54, 65, 69, 70, 110, 123, 132, 140, 154, 248. There are more charters with specific geographical designations reprinted in Lawrie, these examples stand out for the present analysis.

[96] See for instance Ian Blanshard, 'Lothian and Beyond: The economy of the 'English Empire' of David I' in Britnell and Hatcher (eds.) *Progress and Problems in Mediaeval England*, (Cambridge: University Press, 1996), pp. 23-45.; Geoffrey Barrow, 'The Scots and the North of England' in Edmund King (ed.) *The Anarchy of Stephen's Reign* (1994) pp. 231-253. Barrow's argument is that David, very much his father's son, sought to re-claim the regions which he believed were naturally part of the Scottish kingdom.

[97] 'The Inquisition of David respecting the lands of the see of Glasgow *c.* 1124' in *English Historical Documents*, Vol. II, 1042-1189. (eds.) David Douglas & George Greenaway, (London: Eyre & Spottiswoode, 1953) p. 455. This piece is interesting in that it refers to David as 'prince of Cumbria.' Lawrie, *ESC*, No. 50., '*Inquisitio per David Principem Cumbrensum.*'

of Cumbria).[98] A sworn inquest of David when he was 'lord of Cumbria' states that '*Cumbria itaque, regione quadam inter Angliam et Scotiam sita*—Cumbria, however, [is] a certain region between England and Scotland.'[99] In this sense, regional (*regio*) affiliation stands out in complement, rather than in contrast, to regnal or 'national' affiliation.[100]

Furthermore, the charter evidence suggests that during the reign of David I the administrative activities of the royal court extended from 'Brechin and Forfar' to 'Cunningham, Kyle and Carrick' through to 'Berwick' and possibly into Cumberland, Westmorland, and Northumberland.[101] It is interesting that apart from territories highlighted in a 'particular address,' other geographical terminology came into play. The most commonly used addresses included variations on *'totius terrae suae'*, or '*totius regni sui.*' An emphatic use of the possessive[102] to demonstrate the king's position over the various territories of his kingdom suggests that neither the king nor his royal clerks saw the need to delineate what was already clear in their minds, the full geographical extent of the *regnum Scotiae*. Still, if there was some doubt in the minds of David's contemporaries court scribes could clarify in great detail. The address to a charter dated *c.*1141 granting land to the Abbey of Tiron reads "*David dei gratia, rex Scottorum, episcopis abbatibus et omnibus praesentibus regni sui totius et portuum maris, salutem*—David by the grace of God, king of the Scots, gives greetings to his bishops, abbots and all present throughout his entire realm as well as his sea ports."[103] It is

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[98] Robert Bartlett begged a similar question when he asked in regards to Giraldus Cambrensis 'is it to be the neutral 'Gerald of Wales' or the more provocative 'Gerald the Welshman?' Bartlett, *Gerald of Wales, 1146-1223* (Oxford: Clarendon Press, 1982) p. 9. The address '*Franciss et Angli*[ci]s' was only used for charters specifically dealing with areas in Scotland which had many French and English settlers. See below for a more detailed discussion of the use of '*Scottis et Galwensibus*'

[99] Lawrie, *ESC*, No. 50.

[100] Douglas and Greenaway note that '*Cumbrensis regionis*' renders a difficult translation because none of the places listed 'appear to have been in Cumberland.' *English Historical Documents*, II, p. 455. Scottish Cumbria, the area under consideration in the inquest, had come under Scottish control after 1018 when Owen the Bald fell at the Battle of Carham. Cumberland, stretching to the 'Rere Cross' on Stainmore Common was also under Scottish control until the 1090s and again for a short while in the 1130s.

[101] Barrow lists the corresponding places of origin of David I's charters in 'Charters of David I' p. 28; It is interesting to note that in 1130 David issued a charter from '*Strathyrewen in* Galloway' No. 84. Barrow argued that 'geographical gaps' occurred where lordship was extensive (the earldoms of Scotia and in Galloway) and royal interference slight.

[102] Lawrie, *ESC*, No. 74. *'In nomine sanctae et individuae trinitatis. Ego Davi dei gratia rex Scottorum, auctoritate regia potestate.....regni mei.'*

[103] Lawrie, *ESC*, no. 136.

unlikely that territories held by a king of Scots on land would be forgotten where sea-ports were remembered. It is probable that amongst royal officials, at the very least, a geographical awareness of the *regnum Scotiae* was present as early as the 1130s. A number of charters from both David I's and Malcolm IV's reign define the concise boundaries of land granted out to various families.[104] Apart from its practical application, the act of perambulation was a powerfully symbolic gesture that left the impression on those who witnessed it of the physical manifestation of nationhood. A clear indication of the boundaries of one's lands and of those neighbouring lent itself to an awareness of both regional and national boundaries.[105]

As Barrow has shown and as the charter evidence suggests, the Scottish royal style *rex Scottorum* was "exactly parallel to the *H. (H'.) rex Angl'* and *S. (S'.) rex Angl'* of the chanceries of Henry I, and Stephen and Henry II, down to 1172-3."[106] We should wonder then whether it is prudent to continue accepting the idea that Scottish kings were kings over 'a people' as opposed to English kings who, it has been argued,[107] were kings over an entire 'country' 'kingdom' or 'nation.' It surely follows that Scottish kings who were fully aware of the extent of their kingdoms, and indeed the distinctiveness of the many *gentes* within their realm, would include in their royal style some sense of this diversity if only to bolster their own esteem. Edward I's style '*regi Anglie illustri, domino Hibernie et duci Aquitanie*—illustrious king of England, lord of Ireland and duke

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[104] *RRS*, i, 199, 259, 270, 281; *RRS*, i, 199 for example states that 'Malcolm grants to Holyrood Abbey the church of Bathgate, together with all the land which Geoffrey de Melville and Uhtred, sheriff of Linlithgow, perambulated for Abbot William of Holyrood on the day on which the king sent them to view that land (*die illa qua eos misi videre terram eandem*).

[105] The various drover trails that exist throughout Scotland are further testament to the geographical awareness of the Scottish people. Because of poor winter conditions in the North of Scotland, semi-pastoral / semi-agricultural settlements depended for their living on summer grazings which might be situated at a considerable distance from the home settlement. Thus, outlying dwellings were established which eventually developed into permanent villages. On this subject see A. Fenton, 'The Traditional Pastoral Economy' pp. 96-97.

[106] *Regesta Regum Scottorum*, II. p. 75 Barrow does however argue that '*totius Scotiae*' did not necessarily mean the entire Scottish kingdom, but was similar to a provincial address referring to the region north of the Forth. He does not give any indication of what he based this conclusion on. I would argue that by the end of David's reign and certainly by the start of William I's reign '*totius Scotiae*' did in fact refer to the entire kingdom.

[107] Patrick Wormald, Thorlac Petre-Turville and Dauvit Broun, have argued this point. See the discussion on these authors in the introduction of this thesis above. See also, Dauvit Broun, 'When did Scotland become Scotland' in *History Today* Vol. 46 (10) pp. 16-21; Patrick Wormald, 'The Making of England' in *History Today* Vol. 45 (2), pp. 26-32; Thorlac Turville-Petre, *England the Nation: Language, Literature and National Identity, 1290-1340* (Oxford: Clarendon Press, 1996) pp.21-22.

of Aquitaine' comes to mind. It is quite possible that either through administrative expediency or simply following English models, the idea of *Scotiae* as representing more than the region north of the Forth and encompassing the entire kingdom came to be accepted. That this came to pass in part by using the term *Scottis, Scottorum* to refer to all subjects of the Scottish crown suggests that the *regnum Scotiae* and the *gens Scottorum* were closely linked earlier than has been assumed.[108] Arguably, this process began with David I and continued through the reigns of Malcolm IV, William I and Alexander II. Despite the various English chronicle accounts which suggest that foreigners had no problem using the term 'a Scot' to refer to anyone native to the northern kingdom, expansion into Galloway, Moray and the outer Isles and a consolidation of royal-control in these regions meant that it took longer for the idea of Scotland and Scot to come into full use at home. Still, it is not coincidental that by the middle of William I's reign the more inclusive address '*omnibus probis hominibus totius terrae suae clericis et laicis*' entirely replaced the racial and geographical addresses that were more common in David and Malcolm IV's reign.[109] That William implicitly saw his kingdom as one united *gens*, in both its meaning as a people and a nation, is apparent in an account in Roger of Howden's *Chronica*

> William king of Scots, taking an example of the good made the men of his kingdom (*homines regni sui*) swear that they would preserve the peace to the extent of their power, and that they would not be robbers nor thieves, nor outlaws, nor receivers of them, and that they would not in anything consent with them; and that when they should be able to know of malefactors of this kind, they would to the extent of their power take and destroy them.[110]

This imposed oath-taking ceremony appears to be an attempt on the part of the Scottish Crown to persuade the entire nation to take a more active interest in protecting the liberties of the kingdom and its people. If this was the case then it would certainly highlight a shift that was taking place in the early Scottish identity.

Both modern and contemporary writers have recognized the importance of an accepted name to a sense of national identity. In relating the events surrounding the

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[108] Rees Davies discussed the importance of a 'nation's' name in 'People of Britain and Ireland, 1100-1400, II: Names, Boundaries and Regnal Solidarities' *Trans. Royal Hist. Soc.* 6th Ser. V (1994), pp. 1-20; See also William Ferguson, *The Identity of the Scottish Nation: An Historic Quest*, (Edinburgh: University Press, 1998), pp. 19-26, especially 20-22. See also W. F. Skene (ed.), *Chronicles of the Picts and Scots*. (Edinburgh: H. M. General Register House, 1867) See also below next page.

[109] *Regesta Regum Scottorum*, II, pp. 75-77.

[110] Anderson, *Annals*, p. 318.

Battle of the Standard, Henry of Huntingdon wrote: *"axclamavitque simul exercitus Scotorum insigne patrium, et ascendiit clamor usque in coelum, "Albani," "Albani."*—the army of the Scots cried out the war-cry of their fathers, and the shout rose even to the skies, Albani, Albani."[111] Given the apparent 'racial' diversity in the make-up of David's army, a unifying name, whether it be *exercitus Scottorum* or simply *Albannaig*, served a purpose. Even if Henry of Huntingdon and Matthew Paris imposed such designators for the purpose of identifying the enemy (i.e. all who fought against King Stephen's armies) the reference stuck. Tacitus, we recall, stated that the Romans imposed the 'artificial name of Germans' upon 'the whole people' but that soon after the people came to accept this name amongst themselves.[112] We must not discount the notion that those fighting under David I were very aware of who they were, who they fought for, and who they fought against. We know that sometime in the mid-eleventh century Marianus Scotus used the name *Scotia* to distinguish Ireland from the land in Northern Britain that was home to the Scottish nation (*gens*)[113] Gradually, Scottish kings holding the ancient kingdom of the Scots—roughly the area north of the Firths of Forth and Clyde—and gradually incorporating the adjoining regions of Lothian, Moray and Galloway, came to see their entire kingdom as *Albany* or *Scotia*. This was certainly the case by 1266 when the King of Norway ceded the Hebrides to Alexander III.[114] Undoubtedly, the influx of Latin used at the Scottish royal court and in the chancery and ecclesiastical centres ensured that the Latinized form of Alba came to dominate.[115]

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[111] Henry of Huntingdon, *Historia Anglorum*, p. 263. Matthew Paris makes notice of this as well in his *Historia Anglorum*, p. 259. Paris writes, '*insigne patrium exaltando, Albany, Albany.*' Alan Anderson persuasively argued that 'Albany' was the equivalent of the middle Gaelic 'Albannaig—men of Scotland.' See Anderson, *Annals*, p. 202.

[112] Cornelii Taciti, *De origine et Situ Germanorum*, J. G. C. Anderson (ed.), (Oxford: Clarendon Press, 1970), 2.14.

[113] Historians have attributed Marianus Scotus with this usage sometime after 1057. See W. F. Skene (ed.) *Chronicle of the Picts and Scots*. (Edinburgh: General Register House, 1867), p. xxxviii. William Ferguson discusses the various names given to Scotland in Chapters Two and Three of his *Identity of the Scottish Nation*, pp. 19-53, especially 40-48. See also Marjorie O. Anderson, *Kings and Kingship in Early Scotland*. (Edinburgh: Scottish Academic Press, 1973)

[114] Ferguson, *Identity of the Scottish Nation*, p. 27.

[115] Quite probably the eponymous Scota, daughter of Moses' Pharaoh, found in the origin myths cited by Baldred Bisset and John of Fordun underscored the position of the Latinized form of the Gaelic *Alba* that came to dominate by the thirteenth and fourteenth centuries. Walter Goodall (ed.) *Joannis de Fordun Scotichronicon; cum Supplementis et Continuatione Walteri Boweri*. Tom. I. (Edinburgh: John Donaldson, 1775), p. 26. '*Scoti de Scota; de Scotis Scotia tota; Nomen habent: vetito Gaithelos ducis adaucto*—the Scots from Scota take their name, all Scotia from those; While Gaythelos, their leader's

Arguably, the signifier 'of Scots' found in the title *rex Scottorum* came to refer to all persons native to the areas within the established boundaries of the kingdom. Likewise, *Scotiae* came to mean more than the province north of the Forth; it referred to the entire kingdom of the Scots.

The perceptions of geography and race which loom large in both domestic and foreign chronicle accounts of Scotland and its people alert us to various shifts in attitudes, offering significant insight into Scottish self-recognition complemented by external acknowledgment. Arguably, the differences, in many instances major, within various chronicles naturally implies a varied perception of the Scots, their action and in-actions, their commitments and loyalties, the extent and boundaries of their kingdom, and the rights and liberties of the Scottish nation. We must recognize that distance, both temporal and geographical, from the events documented as well as the degree of familiarity the chroniclers had with the customs, morés, laws, and domestic politics of Scotland influenced the tone of these accounts. More importantly, we have to understand the motivation behind writing these accounts. As John Gillingham recently pointed out, Malmesbury and his successors saw the writing of English history "as a progress from barbarism to civilization."[116] This process helped create social distance between all who saw themselves to be English and the 'others' or the 'barbarians.' It is abundantly clear in the writings of many English chroniclers that from their standpoint Celtic Britain was in dire need of a civilizing mission. What is most striking in the language of imperialism that dominates these chronicles is that it echoed the political and ecclesiastical aspirations of the English nation (both kingdom and people). It should be said that the internal colonialism that took place in Scotland, dealt with in greater detail in Chapter Three, lacked an explicit imperial language. Consequently, the cultural integration that took place in Scotland between the reigns of David I and Alexander II ensured the twofold success of the Canmore kings: first, in further consolidating the Scottish kingdom; secondly, in presenting a united front from both the core and periphery to ward off English aggression in the late thirteenth and early fourteenth centuries. A racist ontology and a policy of forced assimilation which England pursued in its own peripheries created

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name, less common daily grows.' Obviously, this is not to imply that Gaelic speakers of Scotland used the Latin form.

[116] John Gillingham, 'Beginnings of English Imperialism,' p. 395.

significant instability in both its own and adjacent kingdoms.[117] The various rebellions in Moray between 1130 and 1230 reflect more a dynastic dispute than a independence movement. Galloway on the other hand is rather more complex. There are signs that despite its close attachment to the Scottish kingdom, both physically and through the key 'Galwegian' landholders who held prominent positions in the Scottish court, Galloway maintained strong ties to its vestigial royalty and its ancient customs well into the fourteenth century.[118] Still, the involvement of two leading 'Gaelic' magnates, one from the north (Ross) and the other from Galloway, in putting down rebellions in the other's respective regions in the name of the king of Scots speaks volumes about how these regions adapted to the changes brought about by the increasingly stronger core-periphery relations.[119] In contrast to this, England's perception of all its neighbours to the north significantly influenced how they approached their policy of domination and conquest. As such, an expressed vision of ecclesiastical and political domination over Scotland based on a sense of cultural, spiritual and national superiority dominated the English literature of the period.

The piece quoted above from the *Gesta Regis Henrici Secundi* (pp. 38-39) describing the lay of the land in Scotland and the characteristics of its people corresponds nicely with a similar piece describing Wales. The author of the *Gesta Stephani* writes that '[Wales is] a country of woodland and pasture...abounding in deer and fish, milk and herds, but breeding a bestial type of man.'[120] Quite apart from the fact that in contrast the

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[117] See Michael Hechter, *Internal Colonialism. The Celtic Fringe in British national Development*, (London: Routledge, 1975), p. 64. Also John Gillingham, 'Foundations of a Disunited Kingdom' in A. Grant & K. Stringer

[118] See Keith Stringer, Periphery and Core in Thirteenth-Century Scotland: Alan son of Roland, Lord of Galloway and Constable of Scotland' in Grant and Stringer (eds.) *Mediaeval Scotland: Crown , Lordship and Community*. (Edinburgh: University Press, 1993) pp. 82-113; H. L. MacQueen, 'The Laws of Galloway: A preliminary Study' in Oram & Stell (eds.) *GallowayZ: Land and Lordship*. (Edinburgh: Scottish Society for Northern Studies, 1991)

[119] See Barrow, *Scotland and Its Neighbours in the Middle Ages*, p. 80; See also McDonald 'Treachery in the Remotest Territories of Scotland,' pp. 6-27. Ferchar Maccintsacairt was made Earl of Ross by Alexander II for his loyalty to the Crown. McDonald writes 'when northern dignitaries like Ferchar were supporting the royal house instead of resisting it, it could only be a matter of time before the resistance faltered completely. Roland of Galloway, who led the expedition into Moray to put down the MacWilliam uprising *c. 1187*, was the Constable of Scotland.

[120] Quoted in Gillingham 'The Beginnings of English Imperialism' p. 396. *Gesta Stephani Regis Anglorum* ed. R. Howlett in *Chronicles of the Reigns of Stephen, Henry II., and Richard I.*, Vol. III., pp. 10-17. '*Walonia terra silvestris et pascuosa, ipsis Angliae proxima vicinitate contermina, ex uno eiusdam latere in longum juxta mare protensa, cervorum quidem et piscium, lactis et armentorum uberrima; sed hominum nutrix bestialium, natura velocium consuetudine bellantium, fide semper et locis instabilium.*

Gesta Stephani described England as being a 'peaceful land (*regnum tranquillandum, ad pacem componendam*)' with the highest standards in justice, religion and piety,[121] the emphasis on land affecting racial characteristics is a fascinating chronicle commonplace. Undoubtedly, the writings of English chroniclers strengthened the already perceived link between 'a Scot' and the geography of Scotland. If we compare the '*diversae gentes*' described in various accounts of the activities of the Scottish armies in Northumberland in the late 1130s with a list of hostages demanded in the second Treaty of Durham *c. 1138* we see an interesting corollary in how chroniclers perceived the heterogeniety of the Scottish kingdom. Richard of Hexham,[122] wrote in his account of the Scottish raids on Northumbria:

> '*Coadunatus autem erat iste nefandus exercitus de Normannis, Germanis, Anglis, de Northymbransis et Cumbris, de Teswetadala et Lodonea, de pictis, qui vulo Galleweinses dicuntur, et Scotiis*—Now that wicked army was composed of Normans, Germans, English, of Northumbrians and Cumbrians, of men of Teviotdale and Lothian, of Picts, who are commonly called Galwegians and of Scots.[123]

In Hexham's account of the second Treaty of Durham he lists the son of earl Gospatric (most likely of Dunbar), the son of Hugh de Moreville, the son of earl Fergus of Galloway, and '*filium Mel et Filium Mac'* two earls of Scotland.[124] These hostages more or less correspond to the various parts of the Scottish kingdom that sent men into battle with David I. It bears a striking coincidence if the choice of these hostages was merely a matter of chance. More likely, David and / or Stephen recognized the various regions of

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[121] *Ibid.*, pp. 16-17.

[122] Prior of Hexham between 1141 and *c.* 1178. Wrote the *De Gestis Regis Stephani* sometime around 1154.

[123] *De Gestis Regis Stephani* in Howlett (ed.), *Chronicles of Stephen, Henry II., and Richard I.*, Vol. III., pp. 152-154. John of Worcester writes '*Ferunt qui noverunt a pluribus diversae gentis hostibus fere sex mensibus indicibilem factam irruptionem in Northymbria, et per loca longe et prope adjacentia*—Those who know say that an indescribable invasion was made by many enemies of diverse *gentis*.' In *Florentii Wigorniensis* (Florence of Worcester) *Monachi Chronicon ex Chronicis*, Vol. II., (ed.) Benjamin Thorpe (London: British Historical Society, 1849) p. 102

[124] *De Gestis Regis Stephani*, p. 178. Scottish contemporary accounts do not comment on who was sent as hostages to England after the Battle of the Standard. Alan Anderson suggested that the two Scottish earls who sent their sons as hostages were Maelmuire, earl of Athole, and Gillemichel, Dub's son, earl of Fife. See Anderson *Early Sources of Scottish History*, A.D. 500-1286. (Stamford: Paul Watkins, 1991), p. 199; See also W. F. Skene, *Celtic Scotland: A History of Ancient Alban*, Vol. I, 2nd ed. (Edinburgh: David Douglas, 1886) pp. 433-34 who identifies a 'Melkolmr' earl of Athol, as the brother of Malcolm Canmore. See also Kenneth Jackson, *Gaelic Notes in the Book of Deer*, (Cambridge: University Press, 1972) p. 36., where a 'Mal-Moire of Atholl' and a 'Gille-Brigte earl of Angus' witness a charter of David I to the clergy of Deer.

the Scottish kingdom and chose representatives of these regions as 'Scottish' hostages to the English crown.

By the end of David's reign and certainly into William I's, the chroniclers explicitly perceived Galloway, Moray, Lothian and Scotia as provinces or districts of Scotland. John of Hexham records that *c.* 1152 David ordered Duncan, earl of Fife, to take 'forthwith his son's first-born, Malcolm...that this boy should be conducted round the provinces of Scotland (*iussit eundem puerum per provincias Scotiae*), and proclaimed to be heir to the kingdom.'[125] Moreover, despite Walter of Coventry's oft condescending attitude towards the Scots, his comment on William's inability to 'pacify the interior districts of his kingdom (*interiores regni sui....pacificare non posset*)' supports this argument. It is also interesting to note that various non-English sources refer to the make-up of David's armies in Northumberland as simply being 'Scottish.' [126] Clearly, seeing the various regions of the British Isles as being on one hand fragmented and in need of the stabilizing effect of English overlordship and on the other hand united by a shared barbarity, best suited English pretenses to cultural, spiritual and political domination. More importantly, it justified their imperial attitudes.

English imperialism in Scotland spanning the period 1124 until the Treaty of Falaise in 1174 took both a political and ecclesiastical form. The issue of English political overlordship, both perceived and real, in Scotland is a central theme running through this thesis and will be considered in greater detail. Ecclesiastical imperialism in Scotland, however, revolved around the struggle between the see of York and the church of St. Andrews and specifically on the issue of granting a Pallium to the latter. A substantial amount of ink (in English chronicles) was given to recording the activities of the Scottish church in their challenge of the claims coming out of York for Scottish ecclesiastical subservience; for obvious reasons none more lengthy or vociferous than the

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[125] John of Hexham in Symeon of Durham, *Historia Regum* Vol. II ed. T. Arnold (3 Vols. Rolls Series, No. 75, 1858)

[126] The *Annals of Loch Cé* for 1138 state 'Plundering of the north of England by men of Scotland.'; For 1137 the *Chronicle of Holyrood* reads 'on the fifteenth day before the Kalends of December, there was a battle between Scots and the English.'; The *Annals of Multifernan* state for 1138 that 'a battle between English and Scots at Clitheroe'; *The Chronicle of Melrose* reads 'There was a battle at Cowton Moor, between Scots and English, at the Standard, on the eleventh day before the Kalends of September.' See Anderson, *ES*, pp. 197-199

various histories recorded at, or by the Archbishops of, York.[127] Still, many of the Northern (English) histories documented the activities of the Scottish church. For the years 1107-08, Symeon of Durham, Eadmer, and Florence of Worcester comment on the election and consecration of Turgot to the bishopric of St. Andrews. In all three accounts the initial emphasis was on the involvement of Henry I in selecting and placing Turgot in what Symeon referred to as 'the seat of the primate of the whole Scottish nation (*sedes primatis totius gentis Scottorum*).'[128] This eventually became a secondary issue in the literature when the refusal of the Scottish church to render the expected obedience to the Church of York came to dominate. Symeon of Durham writes:

> But that the church should no longer waver through lack of a shepherd, king Henry commanded, upon the request of [Alexander] the king of Scots, that Thomas the younger, archbishop of York, should consecrate Turgot without any demand for subjection, saving the authority of either church (*sine ulla subjectionis exactione consecraret, salva utriusque ecclesiae auctoritate*).[129]

'Saving the authority' of either the church or the Crown became a significant phrase in the English imperial language. It basically asserted the right to continue pursuing the issue at a later date; that the Scots adopted this language is significant in its own right.

The struggle between York and St. Andrews must also be seen in the context of the struggle that was taking place between Canterbury and York. Eadmer[130] offers a glimpse into the political machinations between Scotland, York and Canterbury.

> We inform you, kindest father, that the bishop of the church of St Andrew the apostle, master Turgot,...departed from the world..... We request your Fatheriness's counsel and aid.....We ask that you may deign to remember what already on one occasion we mentioned to you concerning the bishop's of the church of St Andrews, that in ancient times they used not to be consecrated except either by the Roman pontiff himself, or by the archbishop of Canterbury.[131]

This excerpt comes from a letter written by Alexander I (d. 1124) to Ralph, Archbishop of Canterbury, copied into Eadmer's *Historia Novorum*. The letter continues with

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[127] See James Raine's compilation of *The Historians of the Church of York and Its Archbishops* (5 Vols., Rolls Series, No. 71., 1858)

[128] *Symeon of Durham Historia Regum*, Vol. II, p. 204

[129] *Ibid.*, p. 204

[130] Eadmer was elected to the bishopric of St. Andrews in 1121. According to Eadmer, after Alexander agreed to let him [Eadmer] return to Canterbury rather than take up his post at St. Andrews he [Alexander I] sent a letter to Ralph, Archbishop of Canterbury, stating 'but the person when placed in the bishopric would not yield to the customs of the land and manners of the folk, as affairs and occasion demanded.' *Historia Novorum*, p. 285.

[131] *Eadmer reads: 'Petimus etiam ut recordari dignemini quid vobis iam quadam vice suggessimus de episcopis ecclesiae Sancti Andreae, quod in antiquis temporibus non solebant consecrari nisi vel ab ipso Romano Pontifice, vel ab archiepiscopo Cantuariensi.'*

Alexander demanding that with the 'blessings,' and 'by the authority,' of Canterbury, the policy put in place by Lanfranc 'in the absence of us and ours' of allowing York to consecrate Scottish bishops be ended.[132] The writings of Hugh Sottewain (Hugh the Chanter), Thurstan of York, and Pope Calixtus II, display the hostilities the church of York felt towards the policy of the Scots to consecrate their own bishops which was undoubtedly in reaction to the demands for obedience coming out of York. Such hostilities are evident in a letter from Calixtus II to the 'Bishops of Scotland.'

> A certain grave and perilous presumption is said to prevail in your parts, to wit that, without consulting your metropolitan and other fellow-bishops, one is consecrated as bishop by another...Therefore by apostolic authority we command you that none must be consecrated henceforth as bishop in your churches except by your metropolitan the archbishop of York, or by his permission. Moreover we instruct and command your fraternity that setting every pretext aside you offer canonical obedience to our venerable brother Thurstan, consecrated archbishop of York.[133]

It is possible to see this letter in various lights; while there is reason to see it as a spurious letter re-created by the Church of York to further their cause in Scotland,[134] it is perhaps more tempting to accept the letter for what it says about the Scots and to see the events of the next thirty or so years as a well-disciplined reaction to English ecclesiastical imperialism.

Raine listed eight letters from the Papacy to either the Scottish bishops or the Scottish monarchy between 1118-1128 demanding Scottish ecclesiastical obedience to York.[135] Yet, by 1128 the Papacy had moved towards accepting (condoning?) the Scottish 'right' to maintain the liberties of the Scottish church. Inevitably the issue of reserving the rights of both the Scottish church and the church of York came into action. Nevertheless, David I's accession and the long-standing refusal of John, bishop of Glasgow, to render obedience to York, prompted the Papal Curia to intervene; around 1125 John Crena, possessing the authority of a Papal legate, came to Scotland to act as arbiter in the matter. The various accounts of Crena in Scotland stand out for what we

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[132] *Eadmeri Historia Novorum in Anglia*, ed. Martin Rule, (Rolls Series, No. 81, 1858), p. 236. '*absentibus nobis et nostris*'

[133] Raine's *York*, Vol. III., p. 40-41

[134] Various letters allegedly issued by the Pope, including a so-called copy of a letter sent by William I 'begging the pope to reduce the Scottish church to the rightful subjection of the church of York, contradict the activities of the mid 1130s to the 1180s including the involvement of John of Crena, William Curboil, Archbishop of Canterbury and the eventual issuing of 'special daughter' status for the church of Scotland.

[135] Raine's *York*, Vol. III., pp. 40-46.

might glean about English perceptions on geography, Scottish subservience, and most importantly the issue of custom and ancient rights. Symeon of Durham writes 'over the kingdom of Scotland also the same John received the office of legate, the Pope sending the following letter to the king of that nation (*regem ipsius gentis*)'[136] One of the most striking claims to come out of this Papal intervention came from Thurstan, Archbishop of York.

> 'Likewise also he [Thurstan] complained of the bishops of Scotland.' From the beginning of their arrival the lord Pope had been persuaded by certain men that Scotland was not part of the kingdom of England. For they wished to ask for a *pallium* for the bishop of St. Andrews, and that thus he should be created an archbishop. But our archbishop both in secret and publicly in the court showed that Scotland was part of the kingdom of England, and that the king of Scotland was the vassal of the king of England for Scotland; and this the lord Pope must believe to be so.[137]

In such a manner ecclesiastical pursuits came to closely resemble the political ambitions of the English royal court. A similar language of owed custom, obedience, and rights and privileges was taken up at a later date by the Scottish clergy. The *Liber Vitae Ecclesiae Dunelmensis* recorded the protests of Robert, bishop of St. Andrews, to the priors of Coldingham by which he claimed "no privilege, no custom, concerning the church of Coldingham, except as all churches of the whole of Lothian in common owe obedience to the bishop of St. Andrews; but that he wished this church to be freer and quitter than any other church in Lothian."[138] Implicit in this statement is the idea that the church of St. Andrews would reserve its own rights regardless of any other obligations. Alexander III (d. 1286) would later use similar language in his oath of homage to Edward I "for the lands which I hold of you in the realm of England...reserving [the right of] my kingdom (*salvo regno meo*)."[139] Accounts of the consecration of Robert of St. Andrews *c.* 1128

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[136] *Symeon of Durham Historia Regum* , Vol. II, p. 277-278; Symeon writes 'John aforesaid, going around England, came also to David, King of the Scots, at the river Tweed, which separates Northumbria and Lothian, in a place which is called Roxburgh—*etiam ad regem Scottorum David pervenit apud fluviam Twedam, qui Northymbrian et Loidam disterminat, in loco qui Rochesburh nominatur*. Hugh Sottewain writes 'After going around almost the whole of England, and traveling nearly to Scotland—*tota fere Anglia cicuita et perambulata usque prope Scotiam*' in Raine's *York*, p. 210.

[137] Hugh Sottewain in *Chronicles of the Archbishops of York* in Raine's *York*. *'Sed archiepiscopus noster et secreto et palam in curia ostendit Scotiam de regno Angliae esse, et regem Scottorum de Scotia hominem esse regis Angliae.* 'p. 214. Thurstan had been summoned to the Papal Curia because of the dispute between Canterbury and York. His hostility may have derived from seeing John, bishop of Glasgow at the Curia. John had left Glasgow and set out for Jerusalem because of the attempts by York to force his submission. See Anderson *Annals*, pp. 147-160

[138] *Liber Vitae Ecclesiae Dunelmensis* ed. James Raine (Surtees Society, Vol. 13, 1841) pp. 67-68; Anderson, *Annals*, pp. 163-164

[139] Stones, *Anglo-Scottish Relations*, No. 12b.

maintained this language.[140] Nonetheless, it is telling that by the 1180s Pope Alexander III could write of the influence the Papacy had in maintaining the 'liberties of the Scottish kingdom.' Regardless of the loss of political sovereignty to England in 1174, the activities of the Scottish church were fundamental in establishing a procedure whereby the Scots would resist the advances of the English imperial machine. The fact that the Scots were able to secure their political freedom in 1189 and hold onto it until 1707 suggests that this was a well-maintained procedure.

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Certain perceptions of race and geography recorded in mediaeval English chronicles suggest an awareness of the political, cultural and 'national' boundaries that separated Scotland from England. Despite the varying degrees of hostility, antipathy and xenophobia that chroniclers exhibited in their work there remained a constant attitude towards Scotland and the rest of Celtic Britain. Undoubtedly it was one of condescension and inferiorization. As such their accounts formed a language of imperialism. Building on classical notions, the Anglo-Norman literati replaced the older idea of barbarism which contrasted Christian from pagan with a newer perpception based on a sense of cultural, ecclesiastical and political superiority.[141] The ideas that were implicit in the writings of the *Gesta Stephani* whereby the wild landscape of Scotland and Wales contrasted greatly a peaceful and law-abiding England, underscored the principles of an imperial attitude. Such ideas were not new nor were they unique to Britain. Isidore wrote that "the nations of Germany.....have derived their characteristics from the rigor of the climate, of fierce spirit and always unconquerable, living on plunder and hunting."[142] Climate and geography undoubtedly played a role in forming racial perceptions and cultural attitudes in the Middle Ages. Although Gillingham appears to be swayed by the tone the early literature generally took, he is indeed correct in arguing that "if English

[140] John of Worcester in *Florence of Worcester*, Vol. II, p. 89 writes 'Upon the request of David....Thurstan of York consecrated at York as bishop Robert, whom Alexander, king of Scotland, had intruded upon the church of St. Andrews. Thurstan, Archbishop of York in Raine's *York*, Vol. III, p. 51-52 writes 'Be it known to all, both present and to come, that I have for the love of God and of the venerable king David of Scotland, irregularly (without prayers) consecrated Robert as bishop of St. Andrews, without profession and obedience, saving the complaint of the church of York and the just right of the church of St. Andrews.'
[141] John Gillingham, 'The Beginnings of English Imperialism' pp. 394-395.

power tended to unite Britain and Ireland, English attitudes tended to divide [Britain and Ireland]."[143] Actual English power in Scotland prior to the eighteenth century was limited at best—it generally came in fits and spurts affecting a small group of nobles who were perhaps more successful in harnessing English aggression to fit their own political schemes.[144] English attitudes on the other hand were significantly hostile to Celtic Britain and came to be regarded in Scotland, Wales and Ireland as barrier-building. The 'us' vs. 'them' mentality increasingly aided in a revived self-awareness that accompanied the expansion and consolidation of the Scottish kingdom. Places like Moray and Galloway, intent on maintaining their regional distinctiveness, became increasingly aware of their place within the Scottish nation. That the nation experienced severe 'growing pains' over a period of a century and a half reflects the strength and pervasiveness of the *diversae gentes* that formed the *regnum Scotiae*. That most of the hostilities in Galloway and perhaps to a lesser extent in Moray were directed at Anglo-Norman nobles brought in under the auspices of Scottish kings still remains to be seen. Arguably, the success of the Canmore dynasty in expanding and consolidating the Scottish kingdom was in part due to their ability to incorporate the periphery without asserting too far a sense of cultural superiority.[145] That this was significant for the evolution of the Scottish identity is apparent in the actions of people like Farquhar mac Instacairt, Roland and Alan of Galloway and Andrew Murray. That this had the opposite effect English kings and chroniclers had in mind requires further examination.

It should not be surprising then that English chroniclers could, in a single passage, write that the Scottish armies acted 'execrably' in their attacks on Northumberland while bolstering the image of Scottish kings. By connecting Scottish kings to the English court English chroniclers such as Orderic Vital could write that the Canmore kings (specifically

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[142] Cited in Ernest Brehaut, *An Encyclopedist of the Dark Ages, Isidore of Seville* (New York: Burt Franklin, 1912) p. 211.
[143] Gillingham, 'Foundations of a Disunited Kingdom' in A. Grant and K. Stringer, *Uniting the Kingdom?* pp. 48-49.
[144] The activities of Malise, earl of Strathearn during the wars of independence serve as an excellent example of divided loyalties causing significant problems for major landholders in both Scotland and England. Strathearn was a member of the guardianship established after Balliol was deposed in 1296. He fought with Wallace in 1297-98, submitted to Edward in 1302 when Bruce came into Edward's peace after he was ejected from the Guardianship, and risked both his lands in Scotland and England when he refused to fight on either side at the Battle of Methven in 1307. See Cynthia Neville, 'The Political Allegiance of the Earls of Strathearn during the Wars of Independence' *SHR* LXV(1986) 133-153.
[145] Hechter, *Internal Colonialism*, p. 64.

David I in this instance) "shunned the savage invasions of the Scots." William of Newburgh followed closely this sentiment when he wrote of Malcolm IV that "a king of so barbarous a nation,....was not despised by the barbarians for these marks of virtue, but rather admired and loved—*et rege gentis tam barbarae....ut propter illa virtutum insignia barbaris non esset depectui, sed potius admirationi et amori.*"[146] To a significant degree the distinctions made in early chronicle accounts between kings of Scots and the Scottish populace has left the impression of a fragmented kingdom divided by cultural and linguistic differences. Rather, I would suggest that the success of the early English writers in applying a 'Normanesque' sheen to the upper echelons of Scottish society reflects the imperial tendencies of the English. It remains to be seen to what extent this sheen imbued the Canmore kings with a sense of cultural haughtiness and whether they were able to balance the older customs and liberties of the Scots with those they inadvertently introduced. Undoubtedly, the concept of nature vs. nurture looms large when attempting to get at a full understanding of Scottish kingship and its role in engendering the Scottish national identity in the twelfth and thirteenth centuries. The rebellions in Moray suggest a dynastic quarrel carried over from the time of MacBeth and possibly earlier. Galloway on the other hand is perhaps more complex.[147] Nonetheless the activities of the late thirteenth and early fourteenth century show that both regions were out in seemingly full support of the Scottish monarchy. More importantly, it was becoming increasingly apparent that they represented distinct parts of a recently united Scottish nation.

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[146] William of Newburgh, *Historia Rerum Anglicarum* in *Chronicles of Stephen, Henry II., and Richard I.*, p. 76

[147] It is telling that when William I gave homage to Henry II in 1175 following the Treaty of Falaise it was for the entire Scottish kingdom. The Peterborough Chronicler stated: 'the king of Scotland himself and David his brother became there the vassals of the aforesaid king for all their holdings; and expressly for Scotland and Galloway.' Anderson, *Annals*, p. 259.

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Nature or Nurture?
Scottish Kings, Scottish Kingship and Scottish Identity

For the year 1291 the *Liber Pluscardensis* noted that Scotland was "vacant and without a head and torn to pieces, widowed, so to speak of a king of its own, and....lacking the protection of any defender."[1] The images conjured up by this lament on the death of Alexander III (by 1291 already dead for five years) speak to the importance of the monarch to the mediaeval nation, politically, militarily and pastorally.[2] Moreover, it reveals the strong connection between the Scottish monarch and the identity of the Scottish people. Seen as both the head of state and the symbolic embodiment of the entire 'nation', the monarchy was the focal point from which the identity of the Scots in the Middle Ages devolved. For many, the continuity and the antiquity of the native monarchy represented the steadfast nature of Scotland, the resilience of its people and most importantly the ability to exist. To a large extent, the almost mystical nature of kingship in this period contributed to the bond between the monarchy and the Scottish nation. A significant opportunity for Scottish monarchs to display their affection for, and devotion to, the kingdom fell on the day of inauguration. In ceremoniously recalling the names of their predecessors and by standing on the Stone of Destiny and pointing the Sword of State to the four corners of the kingdom, thus representing a symbolic marriage

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[1] *Liber Pluscardensis*, i, Felix J. H. Skene, (ed.) (Edinburgh: Edmonston and Douglas, 1876), 178-179. (Translation, ii, 141)

[2] The instability arising out of the premature death of Alexander III in 1286 without direct heir and the subsequent death of his granddaughter, Margaret the Maid of Norway, four years later, generated a number of laments on the state of the realm. For instance, Fordun writes 'How worthy of tears, and how hurtful, his death was to the kingdom of Scotland, is plainly shown forth by the evils of after times.....O Scotland, truly unhappy, when bereft of so great a leader and pilot; while—greater unhappiness still!—he left no lawful offspring to succeed him.' (304); Of significant interest, version I of the *Chronicle of the Kings of Scotland* concluded Alexander III's obituary with these lines: 'the sum of the years from the time of Kenneth to the time of the last Alexander is 567. And the land has been quiescent, without a king, for as many years as have intervened.' Anderson, *Early Sources*, ii, 687. See below, pp. 64-79 for discussion of the importance of the continuity and antiquity of the Scottish monarchy to the Scottish national identity. The *Chronicle of Lanercost* recorded the sentiment of the time, suggesting that many in Scotland saw the death of Alexander as being portentious of the day of reckoning. 'during that whole year [1286], the ominous saying was passed around by the Scots throughout the province [of Scotland], that on that day should be the Day of Judgment.' Sir Herbert Maxwell (ed.) pp., 115-118, s.a. 1285/6. See also Anderson, *Early Sources*, ii, 658.

of the monarch to the nation, these monarchs transcended their position as dominant feudal lord within the *natio Scottorum*. Through this demonstration of the intrinsic link between the monarchy and the kingdom, the king provided 'his people' with a sense of permanency established first through his own historical roots via an ancient royal line[3] and second by means of this marriage covenant. The symbolic marriage between king and state or king and nation was an image commonly drawn upon in the political writings of the period. As one scholar has remarked:

> the secular marriage metaphor, became rather popular in the later Middle Ages when, under the impact of juristic analogies and corporational doctrines, the image of the Prince's marriage to his *corpus mysticum*—that is, to the *corpus mysticum* of his state—appeared to be constitutionally meaningful.[4]

The statement in the *Liber Pluscardensis* that Scotland 'was widowed' following the death of the king is rather revealing.

But, while the reign of Alexander III was celebrated after 1286 as a 'golden age' of stability and prosperity, most likely in contrast to the hardships and instability suffered between his death and Robert I's successful bid for the throne, the lack of a strong monarch did not preclude the presence of effective government. More importantly, it did not diminish the stature of the institution of monarchy or alter the Scots' perception of Scottish kingship.[5] Between 1286 and 1306 the 'community of the realm'—and this included many not considered to be *les grauntz seigneurs*[6]—was relatively successful in

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[3] See below, pp. 65-74.

[4] See Ernst Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology*. (Princeton: University Press, 1957) pp. 212-214. Cynus of Pistoia, writing *c.* 1300, stated that 'the comparison between the corporeal matrimony and the intellectual one is good: 'for just as the husband is called the defender of his wife…so is the emperor the defender of that *respublica*.' Lucas de Penna, who wrote in the mid-fourteenth century, stated: 'There is contracted a moral and political marriage between the prince and the *respublica*. Also, just as there is contracted a spiritual and divine marriage between a church and its prelate, so is there contracted a temporal and terrestrial marriage between the prince and the state. And just as the church is in the prelate, and the prelate in the church….., so is the prince in the state, and the state in the prince.'

[5] In the Declaration by the Clergy of Scotland *c.* 1309/10, we find a decent account of the general attitude held by the various the members of the council who met in Dundee to discuss the status of the realm. See Barrow, *Robert Bruce*, pp. 261-264 for discussion on this council meeting. For the Declaration see Stones, *Anglo-Scottish Relations*, no. 36. Following directly after the accounts of some of the hardships faced after the death of Alexander III and after the deposition of John Balliol 'lately installed (*promotum*) as king of Scotland *de facto* by the king of England' the author of the Declaration writes: 'and with their knowledge and approval he [Robert Bruce] was received as king, that he might reform the defects of the realm, correct what had to be corrected, and direct what was without guidance.'

[6] For an interpretation of who fell under this category see for example Stones, *Anglo-Scottish Relations*. nos. 16, p. 106. n. 2.

protecting the 'liberty' and 'freedom'[7] of Scotland. What is significant about this, is that individuals from nearly all levels of Scottish society took great interest in maintaining Scotland's customs and traditions, intent upon preserving the independence of both the Scottish monarchy and the kingdom of the Scots.[8] Moreover, as the activities of the various 'Guardians of the realm' and that of Wallace and Murray demonstrate, the absence of the physical representation of monarchy, i.e. the king's person, as in 1296, did not prevent the community from acting in his name. Regnal dignity or Crown authority, in essence the institution of the native monarchy, was seen both as the embodiment of mediaeval Scottish nationhood and the fount of its national identity.

We may look to the unfortunate reign of John Balliol for an example of this tradition. Due to his inability to stave off Edward I's aggressive intrusion into Scottish politics, the community limited Balliol's power by setting up a guardianship in 1295 to govern in his name. After Edward I had deposed Balliol and set up his own government in Scotland, the 'community' continued to act in the name of their absent king. It is significant, however, that they based their authority on the royal institution rather than the royal person. Perhaps, the best example of this is Sir William Oliphant's refusal to hand over Stirling Castle to Edward I in 1304 because he held his commission 'of the Lyon.'[9] In other words, he held it of the Scottish Crown. We should bear in mind that this may be a subtle distinction, but perhaps an important one to make. Both Wallace and the various guardians of the realm between 1298 and 1304 continued to use the style "the

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[7] For a persuasive argument on the nature of 'Freedom' in mediaeval Scotland see Barrow, 'The idea of Freedom' in *Scotland and its Neighbours in the Middle Ages*. (London: Hambledon Press, 1992) pp. 1-22

[8] An example of this is in the reply of the Scots to Edward I's claim of overlordship in 1291. The reply states that 'they [i.e. the Scots] have no knowledge of your [Edward I's] right, nor did they ever see it claimed and used by you or your ancestors...that they have no power to reply to your statement, in default of a lord [i.e. a King] to whom the demand ought to be addressed.' Stones, *Anglo-Scottish Relations*, nos. 16, p. 109. It is clear from this reply (which most likely did not come from the great magnates of the land) and from the withholding of homage requested by Edward a few weeks after this (late June 1291) by the knights, gentry, burgesses, clergy and many of the freeholders that the 'community of the realm' consisted of a very large portion of Scottish society. See for example John Falconer, *A Freedome is A Noble Thing* (Alberta, Honours Thesis, 1997) pp. 48-50; The distinction made between the independence of the monarchy and the independence of the kingdom may be best examined in connection with William I's defeat at Alnwick in 1174 and the subsequent Treaty of Falaise. By this Treaty, William held the kingdom of the English crown. This however did not necessitate the surrender of Scotland's independent status, only a recognition of William's feudal obligation to Henry II. On this subject see Marc Bloch, *Feudal Society*, L. A. Manyon trans. (Chicago: University Press, 1962) pp. 212-215; For this specific Scottish example, see Barrow, *Scotland and Its Neighbours*, p. 28

[9] See above, p. 11.

eminent prince the Lord John by the grace of God the illustrious king of Scotland."[10] But we see in the two existing documents issued by Wallace after 1297 that the authority of the king is placed alongside the authority of the nation, or community:

> We, Andrew of Moray and William Wallace, the leaders of the army of the realm of Scotland (*duces exercitus regni Scocie*), in the name of the eminent prince Lord John, by the grace of God the illustrious king of Scotland, with the agreement of the community of the realm (*de consensu communitatis regni*), give greeting to all of that realm to whom the present letter shall come.[11]

Always keeping the royal dignity in mind, the 'community of the realm' in their grandiloquent letter to the pope in 1320 (Declaration of Arbroath) emphasized the value of the monarch while articulating their will to replace the royal person should he subject them to foreign rule.[12] Already by 1309 the 'community of the realm', because of his ineptitude in resisting the aggression of Edward I, had seen fit to remove John Balliol from the collective memory without effecting a discontinuity in the continued succession of the Scottish monarchy. According to the Scottish general council meeting in Dundee in February 1309/10 Balliol had been forced upon the kingdom by Edward I who 'deprived' Robert Bruce of his 'right of birth, to inherit the rule over the people of Scotland.'[13] So while Balliol's reign could not be entirely dismissed out of hand, it was at best represented as an anomaly, at worst as the deprivation of 'right' and a subjugation of the liberties of the Scottish people.[14]

The instability during the minority of Alexander III, not dissimilar from that which followed his death, underscored the fundamental need for both strong and effective monarchy to weather what at times were difficult political situations both domestic and foreign. Even though there were occasions when Scotland was lacking a fully inaugurated monarch who wielded royal authority, as in 1244, 1286-90, and between 1296-1306, the monarchy continued to generate loyalty and affinity. Guardians appointed to act in the name of the monarch maintained the royal dignity until such time when the monarch was able to take full control. In this manner individual reigns

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[10] Stones, *Anglo-Scottish Relations*, nos. 26a, 26b.
[11] *Ibid.*, no. 26.
[12] Declaration of Arbroath (trans. A. A. M. Duncan, 1970) *APS*, I, p. 474.
[13] Stones, *Anglo-Scottish Relations*, No. 36
[14] *Ibid.*, 'But because the enemy of the human race has sown tares, and because of the divers stratagems and tricks of Robert's Rivals [Balliol / Comyn faction], which it would be tedious to describe one by one, the matter has turned out otherwise and, by his deprivation and loss of royal dignity [*regie dignitatis*], grievous

contrasted with the constancy of the institution of the native monarchy. This institution provided the people with a more constant entity from which to base claims to antiquity and continuity, but most importantly it demonstrated the ability of the *nacio Scottorum* to endure.[15] Such claims were fundamental to the Scottish national identity from at least the twelfth through fourteenth century. Moreover, the political turmoil of individual reigns did not diminish a sense of being a people, a *nacioun* or detract from the importance of monarchy to the nation. William the Lion's defeat at Alnwick generated both anger and sorrow within Scotland, because of the threat it posed to the king and the potential threat it posed to the nation. There is little doubt that the guardians appointed to govern in the name of the young queen from Norway in 1286 recognized the symbolic (and obviously political) value of monarchy. Yet, prior to sailing for Scotland from Norway—and before her tragic death in 1290—the Maid of Norway had been only nominally recognized as having royal authority in Scotland. Rather than basing their government on an absentee queen yet to be fully inaugurated, the guardians acting in her name sought something more constant from which to derive their political authority. In the minds of the Guardians and the 'community' what better authority to base their government on than the authority of the Scottish nation.[16]

The involvement of the 'community' in managing the affairs of Scotland, however, should not be seen solely as a consequence of the death of Alexander III and the succession crisis that followed. Already by the mid-twelfth century it was clear that any activity undertaken by the Scottish monarch that could be perceived as posing a threat to the stability and independence of the realm would invoke a determined response from members of the Scottish community. John of Fordun, writing on the events surrounding the participation of Malcolm IV (d.1163) and his brother William in Henry II's abortive Toulouse expedition, stated that "the chief men of the country (*regni*

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harm has since come to the realm of Scotland and to its inhabitants, as experience of events, our mistress in politics, now often repeated, has manifestly shown.'

[15] The Declaration of Arbroath, Fordun's *Scotichronicon*, and the various *regnal lists* all highlight the ability of the Scottish nation to continue to exist from the time of Scota through the reigns of Fergus Mac Erc down through the successive reigns of Kings of Scots. On this subject and others relating to the Scota legend see William Ferguson, *The Identity of the Scottish Nation*, (Edinburgh: University Press, 1998) pp. 19-35

[16] On this subject see Barrow, *Kingship and Unity*, p. 128; For more information of the role of the Guardians see Norman Reid 'Kingless kingdom: the Scottish guardianships of 1286-1306' *SHR*, LXI (1982), 105-129

majoribus) were roused....stirred up against the king, not to compass any selfish end, or through treason, but rather to guard the common weal."[17] Between the reign of David I and Alexander III the notion of the 'community of the realm'[18] gradually developed into something resembling the more modern concept of 'nation.' This is reflected in a contemporary translation by Robert of Fulham 'a trusted royal official' of *le commun de nostre reaume* as "all the native inhabitants of our kingdom."[19] Undoubtedly, the difficulty of translating into the vernacular the precise idea inherent in the French *le commun de nostre reaume* or the Latin *communitatis regni*, for which there was no real English equivalent, did not undermine the ability to express the essence of this phrase: clearly it denoted "the totality of the king's subjects within the realm, in other words what we should call the nation."[20]

The intrinsic link between the monarch and the nation rested partially in the continuity of the royal line and more substantially in the permanency of the institution of the native monarchy. The importance of both to the *nacio Scottorum* stands out in the Declaration of Arbroath.

> Divine providence, the succession to his right according to our laws and customs which we shall maintain to the death , and the due consent and assent of us all, have made him our prince and our king. We are bound to him for the maintaining of our freedom both by his right and merits.....Yet if he should give up what he has begun, seeking to make us or our kingdom subject to the king of England or the English, we would strive at once to drive him out as our enemy and a subverter of his own right and ours, and we would make some other man who was able to defend us our king.[21]

The 'community of the realm' in part linked the ideas of personal royal authority, the mysticism of the institution of monarchy and the constancy of the Scottish nation. Thus,

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[17] *Fordun*, i, p. 450; Barrow suggested that this was not an attempt on the king's life or an attempt to wrest the Crown away from the MacMalcolm dynasty, but rather the constitutional device of governing in the king's name. Barrow, *Feudal Britain*, pp. 243-246; The *Chronicle of Melrose* stated that 'when [Malcolm] had come to the city that is called Perth, earl Ferteth and five other earls (being enraged against the king because he had gone to Toulouse) besieged the city, and wished to take the king prisoner; but their presumption did not at all prevail. Anderson, *ES*, ii, p. 244; Roger of Howden's account is similar to that of Melrose. See Anderson, *Scottish Annals*, p. 241.

[18] On the subject of the 'community of the realm' see Susan Reynolds, *Kingdoms and Communities* especially chapter eight, 'The Community of the Realm' pp. 250-331; Also Barrow, *Kingship and Unity*, pp. 122-144

[19] Professor Barrow's work on the 'community of the realm' contributed much to this interpretation of the activities of the guardians and the Scottish populace. See Barrow, *Kingship and Unity*, pp. 122-144.

[20] Barrow, *Kingship and* Unity, p. 126

[21] *APS*, I, 474. (trans. A. A. M. Duncan, *Nation of Scots and the Declaration of Arbroath)*

while the claim can be made retrospectively that 'king first, then kingdom';[22] it is increasingly evident that the Scottish monarchy was to an extent co-dependent upon the political will of the Scottish people.[23] On the investiture of king Malcolm IV, John of Hexham wrote: "*Tollens igitur omnis populus terrae Melcholmum.....apud Sconam sicut consuetudo illius nationis est...constituerunt regem.*—And so the whole people of the land raised up Malcolm.....and at Scone as is the custom of that *natio*....appointed him king."[24] That is not to say that a proto-constitutional monarchy existed in twelfth- through fourteenth-century Scotland. Nor am I arguing that the 'community of the realm' wielded the 'real' political power while mediaeval kings of Scots (John Balliol was perhaps the exception) accepted their position of relatively restricted power. Rather, the 'community' was directly involved in the governing of the realm, especially during periods of sustained minority or royal absence. Such participation in national politics contributed significantly to inspiring national loyalties and to the continued development of a national identity. What is certain is that the monarch was seen as the temporal leader and chief defender of the *nacio Scottorum* while the monarchy itself was the permanent and continuous embodiment of that nation.[25] As John Comyn reportedly exclaimed in reaction to Alan Durward's attempt to postpone the inauguration of Alexander III in 1251 "a country without a king was, beyond a doubt, like a ship amid the waves of the sea, without rower or steersman."[26] Regardless of whether or not Comyn actually made this statement or Fordun simply embellished the story years later, the sentiment that the monarchy was central to the welfare, indeed the existence, of the *natio Scottorum*, was certainly contemporaneous to the 1250s as it was to the 1150s or the 1350s.

Scottish kingship in this period was as much about perception, institution and tradition as it was about the individual characteristics and abilities of its kings. From a

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[22] See S. Bruce and S. Yearley, 'The Social Construction of Tradition: The Restoration Portraits and the Kings of Scotland' in D. McCrone, S. Kendrick and P. Straw (Eds.) *The Making of Scotland: Nation, Culture and Social Change*, (Edinburgh: University Press, 1989), p. 180.

[23] Norman Reid argued that the Declaration of Arbroath articulated the idea that 'the realm, [and] the royal dignity was embodied within the community, and that the king was a dispensable part thereof, elected in order to provide a symbolic unity and leadership for the realm.' Moreover, he cites three occasions where Scottish kings sought approval of their succession, 1284, 1315 and 1318. Reid 'Crown and Community under Robert I' in Grant and Stringer (eds.) *Medieval Scotland* (Edinburgh: University Press, 1993) pp. 208-209.

[24] Lawrie, *Annals*, p. 6.

[25] See Ernst Kantorowicz, *King's Two Bodies*, pp. 193-214.

[26] *Fordun*, ii, p. 289

king's inauguration to his funeral rites and obituaries, a great deal may be gleaned about the various perceptions and images attached to Scottish kingship during this period. How such events were remembered or commemorated moreover often demonstrate external, i.e. non-regal, perceptions of Scottish kings and kingship. There should, however, be little doubt that the individual policies and activities of kings influenced much of the perceptions surrounding their reigns. Despite the fact that most English chroniclers consistently contrasted the piety, chivalry, and just nature of the Canmore line of Scottish kings with the cruelty and barbarous nature of their subjects,[27] Alexander II received a less than favourable eulogy from Matthew Paris. Paris wrote:

> For, seeking an opportunity of oppression, he kindled gratuitous wrath against one of the noblest of his realm, Owen [Angus] of Argyle.....and purposing to disinherit him he laid against him a charge of treason.[28]

Paris, concluded that Alexander's action was motivated by the unwillingness of Angus to renounce his homage to the King of Norway for Stroma in favour of giving homage to Alexander II. As such, the king of Scots "incurred the displeasure of God and of St. Columba....And while wishing to disinherit an innocent man, he unexpectedly breathed out with that ambition the breath of life."[29]

Apart from such perceptions, the political and cultural atmosphere of the eleventh, twelfth and thirteenth centuries in both Scotland and England contributed to many of the changes effecting Scottish monarchy at that time. There is evidence to support the idea that the increasingly close connection between the English and Scottish royal courts influenced much of the change in Scottish kingship from that point onwards.[30] What is equally clear, is that such changes inspired reaction at home and revision and embellishment in outlook and perception both within and outwith Scotland. As newer political and economic developments began their incursion into Scotland in the eleventh and twelfth centuries, and as various dynastic struggles brought members of the Scottish royalty into close contact with Anglo-Norman custom and tradition,[31] a situation

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[27] See below, pp. 74-85

[28] Matthew Paris, *Chronica Majora,* Vol. V, pp. 88-89. Anderson, *Scottish Annals*, p. 360-361.

[29] *Ibid.*

[30] The adoption of the charter styles discussed in Chapter One is an example of such borrowings from the English court. Another significant adoption was the granting of land for knights-service which I discuss in chapter three.

[31] On the impact of the Normans on Scotland see R. L. G. Ritchie, *The Normans in Scotland.* (Edinburgh: University Press, 1954); Barrow, *Feudal Britain.* (London: Edward Arnold, 1956); William E. Kapelle, *The*

developed whereby Scotland underwent what many historians have referred to as a process of modernization.[32] One consequence of this process was that the Canmore line, as reflected in the available source materials, from Malcolm III to Alexander III were often perceived to be by their birthright and descent (i.e. by nature) Scottish kings but on account of their upbringing and by the processes and institutions they introduced (i.e. by nurture) Anglo-Norman *ultimi domini* (ultimate feudal lord). It remains to be determined how far historians should go in accepting this description as a fairly accurate portrayal. It does however beg the question as to what extent this line of Scottish monarchs saw themselves as being anything other than Scottish. Before offering some possible answers to these questions, it is necessary to examine more fully crucial aspects of Scottish kingship, including inauguration rituals and dynastic and monarchical continuity.

In the mid 1680s James, the duke of York, heir to his brother Charles II, commissioned the Dutch artist Jacob de Wet to document through a series of portraits the antiquity, and perhaps more importantly, the continuity of the Scottish monarchy. Stretching to include the forty or so 'near-legendary' Scottish monarchs established by early writers such as John of Fordun, Andrew Wyntoun and Hector Boece,[33] de Wet captured in his portraits those elements which were fundamental to James' political designs; the politics of the time undoubtedly providing the underlying motivation behind the commission.[34] Of utmost importance to the Stuart dynasts, the portraits showed an

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Norman Conquest of the North: The Region and Its Transformation, 1000-1135. (Chapel Hill: University of North Carolina Press, 1979); A. A. M. Duncan, *Scotland: The Making of the Kingdom.* (Edinburgh: Oliver & Boyd, 1975)

[32] For instance see Barrow, *Kingship and Unity*; Duncan, *Making of the Kingdom*; Ritchie, *Normans in Scotland.*

[33] Hector Boece is generally given credit for 'inventing' the thirty-nine or forty kings who supposedly reigned prior to Fergus Mac Erc (The first Scots king of Dal Riata on record). However, William Ferguson's work on the origins of the Scots has shown that Boece, Fordun, Wyntoun used sources (including oral tradition) which have not survived to develop in greater detail the lives of these kings. See Ferguson, *Identity of the Scottish Nation*, pp. 36-55. On these early kings see also S. Bruce and S. Yearley, 'The Social Construction of Tradition: The Restoration Portraits and the Kings of Scotland' in D. McCrone, S. Kendrick and P. Straw (Eds.) *The Making of Scotland: Nation, Culture and Social Change*, (Edinburgh: University Press, 1989) pp. 175-187.

[34] On the politics of the time, including the Exclusion Crisis and the Succession Act, see Colin Kidd, *Subverting Scotland's Past*, (Cambridge: University Press, 1993), pp. 25-26; See also William Ferguson, *Identity of the Scottish Nation*, pp. 150-152. In examining the *Acts of Parliament of Scotland* (Hereafter *APS*) it is possible to see that the politics of the time had significant impact on the monarchy. Bearing in mind the Civil War which had taken place less that thirty years before the Act of Succession, the members of Parliament extolled their peers to recall the 'perjurie and Rebellion' and to ensure that a peaceful accession followed the present monarch 'without exposing them to all the fatall and dreadfull consequences of a Civil Warr.' *APS*, viii, A.D., 1681.

unbroken succession of 'Scottish' monarchs from the mythical Fergus MacFerquhard to Charles II with De Wet's inspired sense of detail providing all of them with distinguishable features which highlighted their 'direct' hereditary descent. It is significant that contemporaries as well as later commentators recognized how fundamental the perception of the unaltered and consecutive nature of the Scottish monarchy was to James' aspirations of succeeding his brother in light of the Exclusion Crisis. Even at a time when religion significantly influenced politics, Scottish / British monarchs saw the hereditary rights of the monarchy as incontrovertible,[35] it is significant then that de Wet's example of monarchical iconography leaves the lasting impression on the viewer of the incredible similarity in appearance of every Scottish monarch. As William Ferguson so aptly stated "by some miracle of heredity all showed the long-nosed Stewart visage, sometimes many centuries before the Fitzalans, the true Norman progenitors of the Stewarts, ever set foot in twelfth-century Scotland."[36]

But despite the 'racial' dynamic that separated Scottish monarchs before and after Malcolm Canmore (d. 1093), a continuity in the institution of the Scottish monarchy, according to those who saw the political necessity in making such a claim, existed. Undeniably this was as important for those in line to the throne of Britain in the seventeenth century as to those who preceded them. On account of the strength and verity of being descended from an ancient royal line, John Balliol and Robert Bruce claimed descent, as their predecessors had done before them, from the first king of Scottish Dal Riata, Fergus Mac Erc, in order to strengthen their bids for the Scottish throne in the late thirteenth century. That they made such claims despite having closer links to a Norman ancestry is testament to the perceived necessity of showing a 'consecutive and unaltered' line of royal succession. A clear recognition of how an individual king's natural ties, i.e. dynastic links, to the Scottish monarchy either complemented or conflicted with the political and cultural environment in which they were raised is imperative for understanding the intricacies of twelfth- and thirteenth-century Scottish kingship. Furthermore, it is necessary to do this by contrasting

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[35] *APS*, viii, A.D. 1681, Edinburgh, August 13, 1681: 'The subjects of this kingdome are bound by law and Allegiance, to obey the nixt Immediat and laufull heir either male or female upon whom the right and administration of the Gov't is Imediatlie devolved, And that no difference in Religion Nor no law or act of Parliament made or to be made can alter or divert the Right of Succession and Lineal descent of the Croun.'

contemporary values placed on the institution of the Scottish monarchy with those placed on any individual monarch.

The exact impact de Wet's paintings had on the success of James, the duke of York's, accession as James VII and II may be debatable.[37] Nevertheless, his artistic rendering of the Scottish royal lineage did have a strong message. This message is also found in the work of Hector Boece, writing one hundred and fifty years before de Wet painted these portraits, again in the expression of the idea of the antiquity and continuity of Scotland's monarchy. Even without the legendary kings included in these commemorative works celebrating the royal line of Scotland, the Scottish monarchy represented the antiquity and the constancy of the Scottish nation. Two hundred years before Boece wrote his *Scotorum Historiae a prima gentis origine* (Paris, 1527), the Declaration of Arbroath emphasized the fact that Scotland could boast of having had one hundred and thirteen kings "the line unbroken by a singular foreigner." That this idea remained central to the identity of the Scottish nation into the Hanoverian period is striking.[38] What is more, this idea first emerged during a period of consolidation in the twelfth and thirteenth centuries, often in light of the frequent dynastic quarrels between the descendants of Malcolm Canmore who ruled over Scotland and those descended from the rival Scottish royal line, the *Cenel Loairn*.[39] Yet, we may recall that on the death of Alexander III version I of *The Chronicle of the Kings of Scotland* linked Alexander with his distant predecessor Kenneth (mac Alpin?).[40] Perceived or real, continuity was an essential part of early Scottish kingship as it was an essential part of the identity of the Scots.

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[36] Ferguson, *Identity of the Scottish Nation*, p. 152.

[37] Ferguson has argued that the Succession Act of 1681 'is the aptest commentary on the bizarre series of royal portraits at Holyroodhouse.' Ferguson, *Identity of the Scottish Nation*, p. 152.

[38] See for example, Robin Nicholson, 'The Tartan Portraits of Prince Charles Edward Stuart: Identity and iconography', *British Journal for Eighteenth-Century Studies*. XXI (2) (1998), pp. 145-160, especially 146-148. Nicholson argued that 'when Charles Edward Stuart landed in Scotland in July 1745, he was coming not just as the leader of a politically-inspired invasion, he had arrived to reassert the *divine right of the ancient Scottish Royal House of Stuart*, to assert his role a direct heir to the kingdoms of Charles the Martyr and his son, Charles 'the Restorative,' re-juvenating monarch of 1660. He did not wish merely to reclaim the lands of his ancestors, but the loyalties of his subjects; his person was to be a metaphor for restoration of rightful monarchy.' (my italics above)

[39] On the subject of the *Cenel Loairn* see B. T. Hudson, *Kings of Celtic Scotland*. (Connecticut: Greenwoods Press, 1994)

[40] See above, p. 65, n. 2; See also Hudson, *Kings of Celtic Scotland*, for a discussion of Kenneth Mac Alpin's reign as well as the continuity between the Canmore's and their predecessors.

Norman Reid has shown that after ascending the throne in 1306 Robert I was keenly aware of the need, and extremely active in promoting, his connection to both the ancient royal house and the ancient royal institution.[41] This was not unique to Robert I's reign. In fact we find numerous examples in the various *acta* from David I to Alexander III in which the royal chancery employed the phrases which linked the reigning monarch to his 'predecessores' or 'antecessores.'[42] The difference between David I's connection to the royal line and Robert I's connection however is a matter of degrees of separation.[43] Moreover, their need to emphasize the continuity of the monarchy was somewhat different. David was confronted by the challenges present in entrenching the laws of primogeniture into a society where *tanistry* had been the norm. Robert, on the other hand needed to show that his claim via the rights of primogeniture were sound and that the gap between the reign of Alexander III and his own was bridgeable.[44] Consequently, the chancery of Robert I employed the phrase *antecessores nostri reges Scocie* to stress a dynastic continuity.[45] But unlike his predecessors, Robert I had to link himself to the entire dynasty rather than specific members of the royal family.[46] In the early charters, those of Duncan II, Edgar, and Alexander I as well as David I, and in the charters of Malcolm IV and William I an emphasis on direct familial ties were frequently crafted into the texts. In the opening of a grant of Duncan II to the monks of St Cuthbert in 1094 the line *filius regis Malcolumb* followed the introduction *ego Duncansis* and preceded the

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[41] Norman Reid, 'Crown and Community under Robert I' in Grant and Stringer (eds.) *Medieval Scotland: Crown, Lordship and Community*. (Edinburgh: University Press, 1993) pp. 203-222.

[42] *RRS*, i, 131 for example is a confirmation to Kelso Abbey of a Grant made to the abbey by Malcolm IV's predecessors.' In this confirmation the royal chancery employed the phrase *omniumque antecessorum successorumque suorum*. Use of phrases stressing familial ties such as *avi mei regis David* were also common. In a charter by King David to the Church of Dunfermline the chancery saw fit to include numerous predecessors, who in this instance were also *antecessores* to a degree. Malcolm III, St. Margaret, Duncan II, Edgar, Ethelred and Alexander I are all mentioned. Lawrie, *ESC*, LXXIV.

[43] David I, was the youngest son of Malcolm III and Margaret who acceded to the throne after three of his older brothers had reigned in turn (Duncan II, Edgar and Alexander I). Robert I, on the other hand, was the grandson of Robert Bruce the Competitor, who along with John Balliol and Eustace Boulagne and eight others, had given Edward I his assent to intervene in Scottish politics by acting as judge in the Contest at Norham following the death of Margaret in 1290. Robert I was a descendant of Earl David of Huntingdon, William I's younger brother, on his mother's side.

[44] Reid argued that Robert I's objectives included stressing the 'golden age' of Alexander III and demonstrating that there was a return from the difficulties that the judgment at Norham had temporarily inflicted upon the *regnum Scotiae*. 'Crown and Community' p. 207.

[45] *RRS*, v, nos. 71, 124, 266. It is interesting note the absence of Robert I's predecessor John Balliol from his *acta*. See Reid, 'Crown and Community' pp. 204-05. Donald Ban is another fully inaugurated monarch absent in the *acta* of his successors.

[46] Reid, 'Crown and Community' p. 204

phrase *constans hereditarie rex Scotiae*.[47] We find similar examples of this style emphasizing a link to a previous monarch in a mandate by King David regarding fugitive serfs of the church of Dunfermline and in a *notitiae* of William I concerning 'cain' and 'conveth' in Moray.[48] The value of royal documents for demonstrating the perceptions of geography and race were dealt with in the previous chapter. It is evident that these documents are also valuable for what they tell us about the importance of dynastic continuity to both the king and also to those who witnessed or had access to such documents. A grant by Waldeve, heir to Gospatric, Earl of Dunbar, to the monastery of Coldingham, is particularly interesting for what it tells us about the apparent strong affinity felt by one of the king's *probis homines* towards the monarchy. The donation was to be made not only for the good of his soul and that of his own family, but also for the good of the souls of King Malcolm III and his descendants, Edgar, Alexander I, David I, earl Henry, Malcolm IV and his brother William.[49]

Contrasted with these documents are the voices of contemporary or near contemporary commentators captured either in chronicle sources or other source materials. The Declaration of Arbroath, frequently cited throughout this thesis, underscored the key elements of Scottish kingship: the combination of one's right according to law and custom and the consent of the community to take up royal authority. Right according to Scottish law and custom, regardless of whether we are talking about the practice of tanistry or of primogeniture, required that the *rex designatus* be a member of the *stirps regia*.[50] It is significant that following the rise of the Canmore line of Scottish kings, the death of Alexander III and of Margaret, the deposition of John Balliol and rise of Robert I, any break in dynastic continuity was downplayed in the *acta* and glossed over in the history of the time. We can see a somewhat similar situation in England after 1066. As R. H. C. Davis pointed out, when we compare the writings of Wace and Benoit with those of Gaimar we see a shift in terms of continuity: Wace and

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[47] Lawrie, *ESC*, XII. 'I Duncan, son of Malcolm [III] hereditary and trustworthy king of Scotland.'
[48] Lawrie, *ESC*, LXX. David refers to '*omnes servi sui quos pater meus et mater mea et fratres mei ei dederunt et Cumerlache sui a tempore Edgari regis.*'; *Registrum Episcopatus Moraviensis* (hereafter *Mor. Reg.*), no. 9. states '*et cana et coneueta sicut antecessores sui episcopi tempore Regis David avi mei.*'
[49] Appendix to J. Raine, *The History and Antiquities of North Durham* (London, 1852); See also R. Andrew McDonald, 'Matrimonial Politics and Core-Periphery interactions in twelfth- and early thirteenth-century Scotland' *Journal of Medieval History*. Vol. 21. (1995), 227-247, p. 235.

Benoit emphasised a link between Rollo and Henry I, Gaimar on the other hand was keen to show the continuity between Hengist and Henry I.[51] It is telling that William the Conqueror and his successors were seen not as kings of the Normans, but kings of the English. The continuity of monarchy in the Middle Ages lay primarily with the institution and secondarily with the royal line and / or with individual monarchs. This may appear to be a subtle distinction, especially when we consider that by the later Middle Ages an emphasis on maintaining the continuity of a single royal line increasingly equated to the continuity of the monarchy. But where a monarch's right to rule depended largely on his connection to a royal line—often a debatable subject amongst claimants and their followers liable to generate violence—the institution was a less tenuous, more permanent, entity which did not depend on the lineal succession of a royal line for its existence or for its continuation. It is likely that this idea was foremost in the minds of the 'community' when the Declaration of Arbroath was drafted. Perhaps at this point it would be helpful to clarify what I mean by dynastic continuity in contrast to monarchical continuity.

David Dumville has argued that what made a king during this period was the fact that he "had a long line of royal predecessors....he belonged to a royal tradition....he possessed an appropriately royal pedigree....therefore he was of royal blood."[52] It is possible to break down Dumville's description into two parts: the first being proof of the existence of the continuous office of monarchy (having 'royal predecessors' and belonging to 'the royal tradition'), the second being the right to hold this office (possessing a 'royal pedigree' and therefore being 'of royal blood'). For Scotland, there still exists both the 'royal pedigrees' of David I and of Alexander III as well as a number of *regnal* lists located primarily in chronicle sources.[53] The former, as has been stated,

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[50] In other words, of royal blood and a member of one of the (if not the main) royal lines. On the *Stirps Regia* see A. A. M. Duncan, 'The Earliest Scottish Charters' *SHR* XXXVII (1958), 103-135, p. 125.
[51] R. H. C. Davis, *The Normans and their Myths*, (London: Thames and Hudson, 1976)
[52] David Dumville, 'Kingship, Genealogies and Regnal Lists' in P. H. Sawyer and I. N. Wood, (eds.) *Early Medieval Kingship*. (Leeds: University of Leeds, 1977) p. 75.
[53] Marjorie O. Anderson's seminal work on the pedigrees of Scots kings and *regnal lists* of Scotland, *Kings and Kingship in Early Scotland*, (Edinburgh & London: Scottish Academic Press, 1973) is still the best source on this subject; also B. T. Hudson's, *Kings of Celtic Scotland*. Less helpful, although somewhat enjoyable reads are Gordon Donaldson's , *Scottish Kings*, (New York: John Wiley & Sons, Inc., 1967) and Sir Archibald Dunbar's *Scottish Kings: A Revised Chronology of Scottish History, 1005-1625*. (Edinburgh: David Douglas, 1899)

was akin to the monarch's charter of right to rule. The latter, are documented accounts of the continual succession of Scottish[54] monarchs. In comparing the royal pedigrees of Alexander III and David I with the surviving *regnal* lists the most obvious difference is that the former traces the lineage of this royal family, emphasizing, the closeness in relationship, whereas the latter lists successively the reigns of Scots kings irrespective of their relationship to previous monarchs. For as obvious as this may be, the most interesting aspect in terms of continuity is that the pedigrees stretch back in time past the known monarchs of sixth-century Scottish *Dal riata* to include the eponymous Iber Scot and his mother Scota. The *regnal* lists on the other hand, depending on whether they were derived from Pictish or early Scottish sources, begin with the 'founding,' yet still historical, monarch. This may suggest that the royal pedigree, the ancient lineage, demonstrated the continuity of the people, the *gens*, whereas the *regnal* lists demonstrated the continuity of the native monarchy. Together the antiquity and continuity of both 'the people' and the monarchy represented the longevity of the *natio Scottorum*. Increasingly, the combination of an established and continuous kingship and *gens* along with greater territorial consolidation, came to reflect something familiar to the modern concept of nationhood which in Old English was known as the *nacioun*.[55]

Throughout the early Middle Ages many writers, including Isidore of Seville, attempted to show a link between the descent of their own *gens* or *natio* and the descent of various biblical or mythical figures.[56] The Brutus and Scota legends in England and Scotland, as well as the introduction to the Declaration of Arbroath, and perhaps even the early royal pedigrees of West Saxon kings, all emphasize the connection between the royal line and some mythical or deified figure.[57] But requiring that one stretched their imagination or suspended their beliefs was not only requisite in approaching royal pedigrees, such requirements were necessary in accepting the longevity of the Scottish

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[54] These lists are both Pictish and Scottish in nature, highlighting both the separate kingdoms and their amalgamation in the ninth century.

[55] See Chapter One, p. 35, for a discussion of this term.

[56] See above Chapter One; See also Susan Reynolds, 'Medieval *Origines Gentium* and the Community of the Realm' pp. 375-390. Reynolds argued that 'not only was it reasonable for them to try to reconcile their authorities, but it was also reasonable for them to look for the origins of their own peoples among the earlier peoples of whom they had record [Trojan and Biblical genealogies].' P. 378

[57] According to David Dumville, Bede's acceptance of the inclusion of Woden in many Anglian pedigrees was based on his recognition that this was a convention not intended to be taken literally in a reading of the genealogy. See Dumville, 'Kingship, Genealogies and Regnal lists', p. 79.

royal institution. The forty or so 'invented' monarchs falling between Fergus mac Ferquhard and Fergus mac Erc were perhaps introduced to give the Scots an edge in any contest based on claims to antiquity amongst their British counterparts. It is clear that the English and the Irish were willing participant in such contests,[58] as were those who affixed their seals to the Declaration of Arbroath. Nonetheless, what is most significant about the extant royal pedigrees and *regnal* lists is the manner in which the politics of the time shaped the form of their continuation. It is likely that this is what David Dumville was referring to when he argued that royal pedigrees and *regnal* lists seek to conceal as much information as they convey.[59]

The precise familial tie between the Cenel Loairn and the Cenel nGabrain is not entirely clear, although their relationship in regard to the Scottish kingship is somewhat better understood.[60] There is an interesting line in *Regnal List I* which may help us to understand the relationship between these two royal houses and the continuity of the monarchy. It reads:

> *Kineth filius Alpin .xvj. annis Scotos regnauit, destructis Pictis, et mortuus est in Ferteuioth et septultus est in Iona insula, ubi tres filli Herc, Fergus, Lorin, Engus, sepulti fuerunt.*[61]

We may set this piece beside the one taken from the same list quoted above which states that the "sum of the years from the time of Kenneth to the time of the last Alexander is 567." This link between Alexander III, last of the Canmore kings, and Kenneth mac Alpin, first king to rule over both Picts and Scots, is both a political statement and reflection on the continuity of the monarchy. The fact that both kings were descended

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[58] See Stones, *Anglo-Scottish Relations*, no. 30. This is a letter from Edward I to Boniface VIII, wherein he cites a variation of the Brutus legend to support his claim to overlordship in Scotland. I have already mentioned the portion of the Declaration of Arbroath which 'boasted' a lengthy list of Scottish kings. See also Donaldson, *Scottish Kings*, pp. 11-12.

[59] Dumville, 'Kingship, Genealogies and Regnal lists,' p. 72.

[60] This is increasingly so since the 1994 publication of Benjamin Hudson's *Kings of Celtic Scotland*. R. Andrew McDonald's work on the Kingdom of the Isles also sheds light on the vestigial royalty in Scotland's western seaboard between 1100-1336. R. Andrew McDonald, *The Kingdom of the Isles: Scotland's Western Seaboard, c. 1100-c. 1336* (East Linton: Tuckwell Press, 1997)

[61] 'Kenneth son of Alpin, destroyer of the Picts, reigned (ruled the Scots?) for sixteen years and died in (Forteviot?) and was buried on the island of Iona, where the three sons of Erc, Fergus, Loairn and Angus were buried.' See M. O. Anderson, *Kings & Kingship*, pp. 282-283. The three sons of Erc, Fergus, Loairn and Angus carved out their own political niches in what is now north and southwest Scotland and established the three royal houses of Scotland. The descendants of Fergus mac Erc, the *Cenel nGabrain*, included Kenneth mac Alpin, and later kings such as Duncan I and Malcolm Canmore. The *Cenel Loairn* dominated most of north west Scotland and amongst the descendants of the family of Loairn mac Erc we may include Mac Beth mac Findlay and king Lulach. On these lines as well as the line descended from Angus mac Erc see, Hudson, *Kings of Celtic Scotland*, and McDonald, *Kingdom of the Isles*.

from the *Cenel nGabrain* highlights the longevity and dynastic continuity of this royal house. Moreover, it implies no break in the succession of Scottish monarchs. It is interesting that *Regnal List K*, which is a Middle French version almost identical to the Latin *I* version, adds this phrase directly after the line mentioning Kenneth and Alexander:

> Et si est la soum dex aunz de touz les Roys Picys et Escotes, Mill'. D. CCCC. Lxxvi. Aunz *et* .ix. moys, et .viij. iours, tanque lencourounement Johan de Baillolf.[62]

But if we compare this list with that of *N* we see that Robert Bruce came to the throne via his descent from Isabel, a daughter of Earl David of Huntingdon (brother to kings Malcolm IV and William I). John Balliol, on the other hand, "*sublimauit in regnum Scotie Edwardus Rex Anglie illustris.*"[63] Continuity in monarchy did not require, nor necessarily expect, a direct continuity in royal lineage, it only required that a member of the royal house of Scotland ascend the throne as was customary amongst the Scots.

Thus, in Scotland, where two royal lines had elevated members to the throne between 840 and 1058, and where three different royal families ruled between 1058 and 1688, continuity simply meant that the throne of Scotland was never truly vacant. The naming of Margaret, Maid of Norway as queen shortly after the death of Alexander III suggests that unaltered and unbroken succession was crucial to the Scottish people and to their national identity. It is interesting that in 1286 the 'community' was willing to accept a young female as successor to Alexander III. When William the Lion fell ill at Clackmannan in 1195 he demanded that Otto, son of Henry duke of Saxony, succeed him by marriage to his daughter. Howden writes that:

> although the king had many who consented in this to his will, yet earl Patrick [of Dunbar] and many others opposed it, saying that they would not receive his daughter as queen; because it was not the custom of that kingdom that a woman should have the kingdom so long as there was a brother or nephew in his family
> who could have the kingdom by right.[64]

The political necessity of proving one's right to ascend the throne only gradually came to depend upon the closeness of biological descent. If Malcolm III and his progeny

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[62] *Regnal List K* in Anderson, *Kings & Kingship*, p. 289

[63] 'whom Edward, illustrious king of England, placed over the realm of Scotland.' *Regnal list N*, in Anderson, *Kings & Kingship*, p. 291. Version *N* does say that John was descended from Devorgilla who in turn was also descended from a daughter of David of Huntingdon. The stress however was placed not on his descent but on his having been placed in the kingdom by a foreign element, namely Edward I.

[64] Anderson, *Scottish Annals*, p. 315.

contributed to a change in Scottish kingship, the first instance of such a change rests with their entrenchment of the rights of primogeniture. The idea that a young, inexperienced, possibly weak, direct descendent should wear the crown before a more able-bodied, mature and experienced, but more distant descendent, was against the long established traditions of the kingdom. These traditions, which included tanistry and selection from the king's *derbfine*, proved a reliable method of monarchical succession and had dominated Scottish kingship until the eleventh century.[65] It is possible that because of the deep-rooted loyalty to this ancient method, Duncan, earl of Fife, was forced to take a large contingent of mounted knights for protection, and possibly intimidation, on his travels through the provinces of Scotland in 1152 to gain the popular assent for the then twelve year old Malcolm IV. The reaction of Dunbar at the time of William I's illness at Clackmannan suggests that amongst the 'native', (Gaelic?) magnates, tanistry was still a preferable alternative to possibly weak, or even more disdainful, foreign, rule. It is possible that this reaction was not so much against the continuation of the Canmore line by nearness of blood, as it was a voice for the preservation of the dignity of the realm. This was a case of custom, tradition, institution and nation before dynastic preference. Consequently, between 1195 and 1286 a shift occurred in custom and tradition whereby the rules of primogeniture successfully challenged the laws of tanistry. This perhaps had more impact on dynastic continuity than on monarchical continuity, as the institution of the monarchy continued to be fundamental to the Scottish identity throughout the fourteenth and into the fifteenth century.

Still, shifts in Scottish kingship had begun before Malcolm (*Mael Coluim*) Canmore became Malcolm III in 1058. Until the eleventh century, brothers or nephews generally succeeded the ruling king at the time of his death. Nonetheless, quite often the sons of the deceased king succeeded their uncles or cousins in turn. The sons of Kenneth (*Cinaed*) mac Alpin, Causantin and Aed, ruled as kings of Scots, as did their own sons.[66] Tanistry, as such did not preclude the children of ruling monarchs from ever succeeding to the throne. Between Kenneth I (d. 834) and Malcolm II (d. 1034), the sons of each

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[65] See Duncan, *Making of the Kingdom*, pp. 45, 112-114; Also on general succession practice in Scotland before Malcolm III see Hudson, *Kings of Celtic Scotland*.

[66] Causantin succeeded Domnall I, brother of Kenneth mac Alpin, who had succeeded Kenneth in 858. Aed succeeded his brother in 876.

successive king of Scots ruled in turn after their uncle or their cousin.[67] On the death of Malcolm II, Duncan, the son of Malcolm's daughter Bethoc and Crinan, lay abbot of Dunkeld, became king of Scots. It was this disruption of the process of succession that instigated rebellion from Moray and the *cenel Loairn* claimant Mac Beth mac Findlay. There have been attempts of late to attribute the rebellions in Moray spanning from the time of Mac Beth to the unfortunate death of the child at the Mercat Cross in 1230 to a sense of regional identity and a pursuance of Moravian independence.[68] Yet, the evidence suggests that the Crown was the object of desire for these insurgents not regional independence. For example, Mac Beth, the only successful claimant from Moray after the tenth century whose reign lasted from 1040-1057, styled himself king of Scots—*rex Scottorum*, or *ri Alban*. We might compare two grants to the Culdees of Loch Leven, one made by MacBeth the other by Malcolm III: the first reads, '*Machbet filius Finlach contulit pro suffragis orationum et Gruoch filia Bodhe, Rex et Regina Scottorum*; the second, '*Malcolmus Rex et Margareta Regina Scotiae*.[69] It is clear that MacBeth, like his successor Malcolm III, saw himself as a king of Scots, not a king of Moray.[70] Despite, the insistence of many historians that changes in Scottish kingship in the twelfth century resulted from the close contact between the Scottish and English courts, changes in Scottish kingship did not require foreign influence.

The relative silence in the chronicles surrounding the inauguration ceremonies of Scottish kings between David I and Alexander III, and certainly before these kings, makes it difficult to examine any minor or more nuanced changes that may have occurred over time. Clearly the most unchanged portion of this event was the recitation of the royal pedigree which not only played a fundamental role in the twelfth- and thirteenth-

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[67] See Hudson, *Kings of Celtic Scotland*, for the successive reigns of Kings of Scots prior to Malcolm III.
[68] *Chronicle of Lanercost*, 40-41. Lanercost records that 'a somewhat too cruel vengeance was taken for the blood of the slain:—the same MacWilliam's daughter, who had not long left her mother' womb, innocent as she was, was put to death, in the burgh of Forfar, in view of the market place, after a proclamation by the public crier: her head was struck against the column of the [market] cross, and her brains dashed out.' There is some uncertainty as to whose daughter this was, although it is clear that she was in some way related to one of the leaders of the Moray rebellions in the first quarter of the thirteenth century. On the subject of Moravian independence and identity during this period see for example R. Andrew McDonald, 'Treachery in the Remotest Parts of Scotland,' pp. 24-25.
[69] Lawrie, *ESC*, nos. V, VIII. The difference in *Scottorum* and *Scotiae* reflects chancery style. Malcolm III and Margaret were often styled *rex* or *regina Scottorum*. For instance see Lawrie, *ESC*, nos., IX, X
[70] On this see Alexander Grant, 'To the Medieval Foundations' *SHR*, LXXIII (1994), 4-24, pp. 6-7.

century king-making ceremony, but continued to do so for centuries.[71] In 1628, Charles I wrote a letter to Spottiswoode asking him to "prepare for our consecratione and coronatione according to the ancient forme of that our kingdome, making use of what you ever remember to have seen at our consecratione heir, soe farr as it shalbe found expedient [*sic*]."[72] This *ancient forme* included the recitation of Charles royal pedigree; interestingly enough, neither the French nor English Coronation *ordo* included recitations of royal genealogy.[73] Perhaps, in stark contrast to the maintenance of this ancient tradition into the seventeenth century are the vigorous attempts of twelfth- and thirteenth-century Scottish monarchs to secure from the Papacy permission to include the rites of Unction and Ordination in their inauguration ceremony. John Bannerman has suggested that Scottish kings prior to David II (d. 1371) had to 'make do with the old ceremonies' because the Papacy refused to grant them these rites.[74] It is curious that after winning this 'right' (or rites?) in 1328/9 that the recitation of the royal genealogy and other ancient customs remained a part of the inauguration and coronation of Scottish monarchs. If we place the interest in including these rights of Unction and Ordination in the light of the political struggles between Scotland and England it becomes evident that moving forward politically alongside the rest of Western Europe did not necessarily mean abandoning traditional elements of Scottish kingship. The struggle to maintain Scottish independence and to refute claims of subservience to the English crown necessitated that David I and his successors, at the very least, give the appearance of being en par with English and other Western monarchs of their day. As such, striking a 'balance between the old and the new' was perhaps the greatest domestic challenge facing Scottish kings at this time. Intent on preserving their heritage and that of their people while keeping the nation progressing in line with the rest of Western Europe meant that Scottish kings shared equal responsibility for guiding Scotland through, as well as instigating, many of the growing pains the country experienced between 1124 and 1286. Moreover, the

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[71] Most scholars agree that the pedigree was akin to this person's legal right to rule. See for instance Dumville, 'Kingship, Genealogies and Regnal Lists,' p. 73; See also J. E. C. Williams, *The Court Poet in Medieval Ireland.* (London, 1971) p. 41

[72] *Register of the Privy Council, 2nd ser.*, II, 393-395

[73] Roderick Lyall, 'The Medieval Scottish Coronation Service: Some Seventeenth-Century Evidence' *Innes Review*, XXVIII, (1977) 3-21, p. 18.

[74] John Bannerman, 'The King's Poet and the Inauguration of Alexander III' *SHR*, LXVIII, (1989) 120-149, p. 124.

means in which the Canmore dynasty confronted the New World order developing at this time often influenced the perception that they looked away from Scotland and towards England. Further still, contemporary writers such as Malmesbury, Newburgh, and Ailred of Rievaulx promoted these perceptions. What is less clear, is how their environment and their affinity for the new establishment in England effected these writers' visions of Scotland, its people and especially its kings.

Ailred of Rievaulx writing on the inauguration of David I tells us how loathe David was to take part in this non-Norman, barbaric, custom.

> *Scimus enim eum regnum non appetivisse sed horruisse, magisque illud ob alienam necessitatem suscepisse quam dominandi libidine victum avide invasisse, unde & obsequia illa quae a gente Scottorum in novella regum promotione more patrio exhibentur ita ut ea vix ab episcopis suscipere cogeretur.*[75]

It is difficult to imagine David I, already in his forties when he acceded to the throne of Scotland, as being so horrified by the customs of his own land that he required the encouragement of his bishops to participate in this ceremony. It is less difficult to imagine Ailred's own revulsion of these customs which in the first instance would have been foreign to an Anglo-Norman (Englishman?), and in the second, probably included non-Christian elements repulsive to a non-native ecclesiastic.[76] Furthermore, given that no less than four kings (three of whom were brothers of David macMalcolm) acceded to the throne of Scotland prior to David's own accession it is unlikely that he would not have witnessed at the very least one or more of these inauguration ceremonies. Nonetheless, to give Ailred the benefit of the doubt, the question remains as to why Scottish kings, surrounded by members of the 'new' Scottish society, maintained such traditions. By the time of Alexander III's inauguration many of the top magnates were of Anglo-Norman descent who quite probably spoke French, Latin, or Scots-English. Hearing the *Ollamh rig Alban*—master poet of the king of Scotland—recall the king's

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[75] R. Twysden, 'Ailredi abbatis Rievallis genealogia regum Anglorum' in *Historiae Anglicanae Scriptores*, X, i, col. 348. 'For we know that he sought not the kingship, but abhorred it, and did rather receive it because of outward necessity than seize upon it greedily, conquered by the lust of reigning. And hence he so abhorred those acts of homage [*obsequia*] which are offered by the Scottish people, after the custom of the land, offered on the occasion of the inauguration of new kings, that the bishop could scarcely persuade him to accept them.'

[76] It is likely that Scottish bishops had since the days of Aedan mac Gabrain witnessed (if not participated) in the inauguration ceremonies. We do hear from St. Columba's biographer, Adomnan of how Columba induced the Scots to let go of some of the more pagan traditions which may have included the eating of

predecessors in Gaelic, after having witnessed the king being led out to a Stone on top of Moot Hill at Scone and seeing him raise his sword to the four corners must indeed have been a strange sight; especially strange if one was unaccustomed to this sort of event. Yet, most if not all the leading non-native, i.e. of Anglo-French descent, magnates of Scotland at the time of Alexander III's inauguration were at least third or fourth generation removed from the Continent.[77] That is not to say that they did not maintain English or continental connections, rather, their continual presence in Scotland from the early twelfth century would have made such occasions as the inauguration of new Scottish kings less foreign. The next chapter will consider the extent to which Crown patronage during the twelfth century extended towards both incoming settlers from England and France as well as to native landholders played a role in enabling the Scottish 'community' as a whole to see themselves as being entirely Scottish as opposed to anything else.[78]

Nonetheless, the conventions involved in the inauguration rituals of the kings of Scots, not unlike those of other king-making ceremonies of the time, served a variety of purposes. The mystical marriage ceremony mentioned at the beginning of this chapter linked the monarch to the land and to his people. The Stone of Destiny, like the inaugural pedigree, connected the monarch to the past. Similarly, the regalia—the sword and the wand or sceptre of kingship—provided tangible continuity between the current monarch and his predecessors. In presenting these honours and in reciting the inaugural

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horse flesh. On this see A. O. Anderson and M. O. Anderson (eds.) *Adomnan's Life of Coumba.*, I, c.21. (London: Thomas Nelson and Sons Ltd., 1961) p. 251; See also Bannerman, 'The King's Poet,' p. 129

[77] Many of these families had settled in Scotland in the first half of the twelfth century; the de Brus (Bruce), FitzAllen (later Stewart) and Balliol families were most likely present at the inauguration of David I. See Lawrie, *ESC*, LIV. This is a charter of David I granting Annandale to Robert de Brus most likely on the day of his inauguration. Some of the names on the witness list include, Eustace and Hugh de Moreville, Alan de Percy, William de Sumerville, Berenger Engaine, Randolph de Soules, William de Moreville and Henry FitzWarren. The Charter was made at Scone.

[78] The historiography of the past three hundred years has divided Scotland into Lowland Scots which were predominantly English by nature and Highland Scots which were Gaelic. A recent trend has been to look more closely at the Gaelic aspect of Scotland. For instance, Dauvit Broun has just produced a book entitled *The Irish Identity of the Twelfth- and Thirteenth-century Kingdom of the Scots*. (Cambridge: Boydell and Brewer, 1999)

pedigree, whether it was by a Gaelic sennachie or by the earls of Fife,[79] an element of Gaelic tradition coloured the Scottish king-making ceremony. Quite possibly, the continued use of these conventions into the late thirteenth century may have been a matter of keeping up appearances. Yet, one must ask whether or not the Canmore dynasty maintained these conventions for more personal reasons. Given the 'Celtic reaction' following Donald Ban's accession and again after Duncan II took the throne it would appear that there were strong feelings towards change and foreign influence amongst the native population. In light of this, there was good reason for the sons of Malcolm III Canmore to show that there was little or no break in continuity between themselves and their predecessors. By keeping up traditions that were part of the sacred rites of inauguration they were meeting this requirement. On the other hand, given that David I in large part represented the great modernizing force at work in twelfth-century Scotland, it seems unlikely that he would have had any qualms about changing a ceremony, albeit the inaugural ceremony. If we take Ailred of Rievalux at his word, David was 'horrified' by the custom and tradition involved in this ceremony. It seems only natural that such a great innovator and proponent of change would have removed those customs which were loathsome.[80] The fact that the inauguration ceremony was little changed by 1286 suggests that it was more loathsome and horrific to the Anglo-Norman clerics documenting the event. Despite much of the historiography, the Canmore line of kings possessed a genuine interest in maintaining the more 'native' traditions and heritage of the Scottish monarchy and the *natio Scottorum*. Alexander II's donation to Elgin Cathedral in memory of Duncan I should be seen in light of the growing interest in Scotland at the time of acknowledging Gaelic aspects of Scottish culture, politics and society.[81] But, while the historiography has been keen to show a significant divide between Gaelic and non-Gaelic Scotland during this period, the seeds of this perception were sown contemporaneously by predominantly Anglo-Norman chroniclers.

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[79] Bannerman discusses the possibility of this honour falling to either one of these participants in the king's inauguration. Bannerman, 'The King's Poet,' pp. 124-126

[80] Barrow has referred to the introduction of feudal elements into Scotland as the 'Davidian experiment', *RRS*, i, p. 4.

[81] Hudson, *Celtic Kings of Scotland*, p. 130.

Walter of Coventry[82], offering perhaps what he believed was an explanation for the revolt in Moray in 1212, wrote:

> the more recent kings of Scots profess themselves to be rather Frenchmen, both in race and in manners, language, and culture; and after reducing the Scots to utter servitude, they admit only Frenchmen to their friendship and service.[83]

The idea that Scottish kings were more Anglo-Norman than Scottish was not unique to the thirteenth century, but neither was it necessarily derived from the perspective of the Scottish court or that of most Scots.[84] We may set this piece against a speech attributed to Robert de Brus by Ailred prior to the Battle of the Standard in 1138.

> Against whom dost thou bear arms to-day and lead this huge army? Against the English, truly, and the Normans. O king, are not these they whom thou hast ever found useful counsel and ready help, and willing obedience besides? Since when, my lord, I ask thee has thou found such faith in Scots that thou dost with such confidence divest and deprive thyself and thine of the counsel of the English, the help of the Normans, as if the Scots would suffice alone for thee even against the Scots?....Whatever hatred, therefore, whatever enmity the Scots have against us is because of thee and thine, for whom we have striven so often against them, and have bereft them of all hope and rebellion, and have reduced them in all things to thee and to thy will.[85]

According to this account, David I, not unlike William the conqueror, came to his throne with the aid of foreigners and 'reduced' his subjects, in this case the Scots, of whom he clearly was not considered to be, 'in all things' to his own will. This trend amongst the chroniclers south of the Tweed to set Scottish kings apart from their subjects, not simply by means of their station in life, but in racial,[86] linguistic, and 'national' terms, was part and parcel a language of imperialism taken up by both the English court and by many Anglo-Norman writers. But from the perspective of David's and his successors' Anglo-Norman followers, such comments were most likely a form of compliment. We should recall the statement made by William of Newburgh that David was *rex non barbarus barbarae gentis*. According to Ailred, after David ascended the throne "*tota illa gentis illius barbaries mansuefacta tanta se mox regi benivolentia & humilitate substravit.*"[87] It may be tempting to see in the activities of Scottish kings the ability to completely alter the 'nature' of the Scottish people. This, however, necessitates that we accept Ailred's

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[82] In this instance Walter of Coventry incorporated the (anonymous) Barnwall Annals.
[83] Walter of Coventry, *The Barnwell Chronicle*. W. Stubbs (ed.) (Rolls Series, No. 58, ii) p. 206
[84] We hear very little of this sort of thing in the native sources.
[85] Anderson, *Scottish Annals*, p. 192
[86] We should recall that 'racial' in a mediaeval sense was more behavioural and dictated by environment then it was biological.
[87] Ailred of Rievaulx, *Epistola* in Twysden, Col. 347-350. 'the whole barbarity of that nation was softened, and immediately submitted itself to a king of so great benevolence and humility.'

convictions about the 'barbarity' of the Scots and his characterization of the chivalric fully-Anglicized David.

We may also compare various accounts surrounding David's excursions into Northumbria following the death of Henry I. Henry of Huntingdon wrote: "the king of Scots, because he had taken an oath to king Henry's daughter, acted through his followers execrably, as if under the veil of sanctity."[88] William of Newburgh, adding to his appellation of David, made the clear distinction between the king and his people:

> also he [David I] in other respects good and pious, in more than righteous zeal for his niece the former empress, whose just cause (as he believed it) he supported, sent into the province of the English the nation of Scots, from unbridled barbarity greedy of blood, to spare neither age nor sex; although he consented not, and forbade in vain.....Therefore not only in the performance of pious works but also in the making fruitful of repentance did this new David.....reflect the image of the David of old.'[89]

Newburgh's representation of Scottish kings as civil and pious leaders contrasted greatly with his less than positive portrayal of the Scottish people. In an account of one of William I's many attempts to retake Northumbria by force, Newburgh pulled no punches in describing the Scots as animals.

> By the Scots, to whom no sort of food comes amiss, was gnawed up whatever could be chewed even by dogs. And while they applied themselves to booty, it was the pleasure of this inhuman nation (*genti inhumanae*), more savage than wild beasts, to slaughter old men, to butcher children, to disembowel women, and the like; things which it is horrible even to speak of.....while the barbarians raged in inhuman orgies the king himself appeared to be idle, surrounded by a body-guard of knights more honourable and milder.[90]

This account is particularly interesting. Not only does it differentiate between the king, who through his inaction showed his unwillingness to participate in such savagery, but it also reveals Newburgh's bias. Newburgh emphasized the honourable and almost pacifistic behaviour of the king of Scots' body-guards, knights no less, who upheld the chivalric code of battle which any member of Anglo-Norman society would have

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[88] Anderson, *Scottish Annals*, p. 179

[89] William of Newburgh, *Historia rerum Anglicarum,* in *Chronicles of Stephen, etc;* Vol. I, p. 70. Newburgh wrote a similar eulogy of Malcolm IV. 'he appeared as a monk, and, among the men whom he ruled, as some angel upon earth.....Truly wonderful was this in a king, and a king of so barbarous a nation, —which he so ruled as though God directed all his works,—that he was not despised by the barbarians for these marks of virtue, but rather admired and loved.' Ailred of Rievaulx and Richard of Hexham both drew on vampiric perceptions of the Scots. Ailred wrote 'and mixing with water human blood, they quenched their thirst with the cruel draught' in *Chronicles of Stephen, etc;* iii, p. 187. Hexham wrote 'It is even reported that in one place they slew many little children gathered together, and draining their blood collected it in a stream which they had previously damned up, and thus drank that bloody water, nay, now for the most part blood.' In Richard of Hexham, *De Gestis Stephani*, iii, pp. 151-152

strongly supported and applauded over the more 'tribalistic' warfare carried on by the inhabitants of the Celtic fringe. We might compare this with the writings of Ralph de Diceto who commented on William I's anger after being refused the option of holding Northumbria as his grandfather, David I, had held it of the king of England. Diceto writes:

> Meeting with a refusal he [William I] collected an army, with an endless host of Galwegians, —men agile, unclothed, remarkable for much baldness; arming their left side with knives formidable to any armed men....the king of Scotland began to harry England, to burn down villages, to collect incalculable spoil, to lead away young women captive, to take out the half living infants from the wombs of the pregnant.[91]

Despite the fact that Diceto did not separate the king of Scots from the barbarity of this invasion nor excuse him from blame, the description of the king of Scots army again reveals a strong xenophobic bent. Still, the similarity in language and phraseology employed by the various chroniclers mentioned thus far suggests that many of them had access to the other's writings. The overtly harsh tones in these accounts and the characteristic separation of king from people suggests that such perceptions were fairly common and not just a matter of literary borrowings.[92] This raises two questions: what purpose did such a distinction serve?; and more importantly, did the Scots themselves make such distinctions?

Chronicle studies have undergone a significant transformation in recent years. Consequently, the study of these mediaeval histories has shifted its focus from accessing the history of mediaeval peoples from the narrative accounts to analyzing the language employed and the inherent biases of the writers and / or compilers. While recognizing this intellectual pursuit as important, what is crucial, at least for the task at hand, is an understanding of how the perceptions recorded in these accounts may reflect a certain

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[90] Newburgh, *Historia rerum Anglicarum*, p. 182.
[91] Ralph de Diceto, *Imagines Historiarum*, i, p. 376.
[92] It is likely that Walter Espec encouraged, if not commissioned, Ailred of Rievaulx to write his *Relatio de Standardo* and as such, it is improbable that Espec and his following would not have had access to this work. Furthermore, it is unlikely that Espec would not have shared much of the sentiment that Ailred expressed in his writings. See John Bliese. 'Ailred of Rievaulx's Rhetoric and Morale at the Battle of the Standard, 1138' *Albion*, XX (4) (1998) 543-556, p. 548-549; For the availability and access of different chronicles to non-ecclesiastic audiences, see for example John Gillingham, 'The Travels of Roger of Howden and his views of the Irish, Scots and Welsh' *Anglo-Norman Studies*, XX (1997) 151-169; R. H. Thomson, 'William of Malmesbury as Historian and Man of Letters' *Journal of Ecclesiastical History*, XXIX (1978) 387-413; Anthony Lodge, 'Literature and History in the Chronicle of Jordan Fantosme' *French Studies*, XLIV (3) (1990) 257-270.

'reality.' As stated earlier, Malcolm III and his successors spent a significant amount of time either at the English court or amongst the Anglo-Norman 'colonists' that began arriving in the British Isles during the reign of Edward the Confessor. The specifics of the relationship between Scottish monarchs and Anglo-Norman kings of England and Anglo-Norman landholders will be dealt with in the next chapter. That land and feudal obligations underscored this relationship is perhaps an understatement. This economic, political and military institution brought Scottish kings (and magnates) into closer contact with Anglo-Norman customs either through marriage or through feudal obligations with incoming Anglo-Norman settlers. The comment that Scottish kings 'profess themselves to be Frenchmen' suggests that Scottish court culture was more Anglo-French then Gaelic-Scots. On the other hand, this simply may be a condescending remark reinforcing English imperial attitudes towards the Scots, in this case *all* Scots. By showing that kings of Scots were attempting to assimilate themselves into Anglo-Norman society, Newburgh emphasized the inferior nature of the Scottish people. It is likely that this is what Malmesbury has in mind when he wrote that "by intercourse and friendship with us" David I was able to rub off "all the tarnish of Scottish barbarity." This of course raises the matter of how history is often written. Given the success of the reign of Henry II, little has been made of the relationship he held of his great-uncle David I. Roger of Howden wrote "and Henry....nourished (*nutritus*) in the court of David, king of Scots, ...was knighted by the same king David." It might be tempting to see Henry II's approach to kingship as having been influenced by the time he spent at the court of David I. Nature and nurture were no doubt significant forces at work and contributed to the 'balance of old and new' customs and traditions begun by David I (arguably by Edgar and Alexander I) and carried on by his successors. But to characterize the incorporation of feudal customs, the adoption of Latin and French as the common language of both the royal and ecclesiastical circles, and the shifts in royal administration, as an Anglicization of mediaeval Scotland is to overestimate English contributions to these fields as well as to misinterpret the way in which Scottish kings instituted these changes.

Nonetheless, the perception that the Canmores, Newburgh's 'more recent line of kings of Scots', steered the *regni Scotiae* in the direction of England may have been felt by a number of Scots. The incident at Perth in 1160 following Malcolm IV's

participation in Henry's Toulouse campaign may be linked to the feeling amongst leading magnates that the king jeopardized the independence of the realm by committing to Henry's expedition.[93] It is also possible that during Malcolm's absence an 'unrecorded' attack led by Somerled and Fergus, Lord of Galloway, threatened the stability of the kingdom and causing the leading 'earls' to react against Malcolm's voyage to France.[94] The *Chronicle of Melrose*, John of Fordun and Andrew Wyntoun all link this attack on the king at Perth to his activities in France. Fordun, as we have seen, saw the action as a means of protecting the 'commonweal';[95] Melrose, offers no justification only a cause, namely 'being incensed against the king because he had gone to Toulouse';[96] Wyntoun wrote:

> And othir mayster-men thare fyve / Agayne the Kyng than ras belywe;
> For caws that he past till Twlows / Agayne him thai ware all irows;
> For-thi thai set thame hym to ta / In till Perth, or than hym sla. [*sic*][97]

Clearly, the disadvantage confronting Malcolm of being a king in a changing political world, whereby the necessity of bearing all the trappings of your contemporary counterparts, including the belt of knighthood (which appears to have been Malcolm's goal in participating in Toulouse), was set against the traditions and customs of his not too distant predecessors. Furthermore, the involvement of Fergus, who was often referred to as *rex, regulus, dominus, princeps* and *ri*, in this event may represent a clash between the more traditional Gaelic form of kingship and the newer form of kingship emerging in Scotland (and in other parts of Christendom for that matter).[98] The fact that a majority of Scots, including those who at one time were members of the royal line or

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[93] The fear was that Malcolm IV's participation in this expedition may have been taken by the English as a sign of accepted subjection and acknowledgment of English feudal overlordship in Scotland. *RRS*, i, p. 12.
[94] Daphne Brooke, 'Fergus of Galloway: Miscellaneous Notes for a Revised Portrait,' in *TDGNAS*, 3rd Series, LXVI, (1991), p. 52.
[95] See above p. 63, n. 17.
[96] 'The Chronicle of Melrose' in Joseph Stevenson (ed.) *Mediaeval Chronicles of Scotland* (Dyfed: Llanerch Enterprises, 1988) pp. 11-12. Mrs. Anderson in her translation of the *Chronicle of Holyrood* wrote that the attempt by the earls 'had been to coerce, not to depose, the king. The statement in the Chronicle of Holyrood that Malcolm suffered no loss suggests that his opponents avoided battle.' M. O. Anderson, *A Scottish Chronicle known as the Chronicle of Holyrood.* (Edinburgh: University Press, 1938) p. 137.
[97] Andrew Wyntoun, *Orygynale Cronykle of Scotland.* D. Laing (ed.) 3 Vols., Historian of Scotland Series, Vols. 2, 3 & 9. (Edinburgh, 1872) Vol. 2, 197-198
[98] On this subject see McDonald 'Treachery in the Remotest parts of Scotland' (forthcoming) pp. 1-27; Barrow, *Kingship and Unity*, pp. 107-109

styled 'kings'[99], came to embrace the new social order, i.e. feudal hierarchy, and the obligations expected from such an arrangement suggests that while there were growing pains, there was not full-scale civil disruption.[100] The dynastic rebellions in Moray and the incursions from the Western Isles and Galloway did not bring about the same kind of upheaval experienced in England on the death of Henry I and the accession of Stephen.

We might also look at the reaction in Scotland to the capture of William I at Alnwick in 1174 and the subsequent Treaty of Falaise. According to this treaty William became Henry II's man *'de Scocia et de omnibus aliis terris suis.'* While in principle this did not mean the dissolution of the *regni Scotia*, in reality it meant the acknowledgment of Henry's, and more importantly, England's exalted position as overlord in Scotland.[101] Fordun wrote:

> At this time, also, the Scots and men of Galloway, on their king being taken, wickedly and ruthlessly slew their French and English neighbours, in frequent invasions, with mutual slaughter; and there was then a most woeful and exceeding great persecution of the English, both in Scotland and in Galloway.

This quote as well as the one directly below reinforces many of the ideas raised in the first chapter concerning early political thought, languages of imperialism and the dispossession of the barbarians. We should note that in its feudal context dispossession ultimately equaled disinheritance. Fordun's account follows closely that of William of Newburgh, who probably wrote his *Historia rerum Anglicarum* shortly after 1176. Newburgh, true to form, maintained his derisive portrayal of the Scots. His implication, however, of the loyalty of the Scots to William and their opposition to the English and French enemies of Scotland reflects the possibility that the Scots did not see their king as being other than Scottish

> For when they learned of the king's capture the barbarians at first where stunned, and desisted from the spoil; and presently, as if driven by furies, the sword which they had taken up against their enemy and which was now drunken with innocent blood they turned against themselves. Now there was in the same army a great number of English; for the towns and burghs of the Scottish realm are known to be inhabited by English. On the occasion therefore of this opportunity the Scots declared their hatred against them, innate, though masked through fear of the king; and as many as they fell upon they slew.[102]

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[99] This would have included the earls of Fife who were descended from king Dubh (d.966).
[100] Grant argued that a significant portion of the violence in mediaeval Scotland was not done to kings but rather for them. Alexander Grant, 'Crown and Nobility in Late Medieval Britain' in Roger Mason (ed.) *Scotland and England, 1286-1815*, (Edinburgh: John Donald, 1987), 34-59, especially pp. 34-42.
[101] Barrow, *Scotland and Its Neighbours in the Middle Ages*, p. 28
[102] Anderson, *Scottish Annals*, p. 256

This is a difficult passage from which to glean a clear understanding of Newburgh's take on the events following William's capture. At first, it appears that the Scots are shaken by the loss of their king, in Newburgh's words 'stunned'. This is reminiscent of the idea that without a king the country was 'beyond a doubt, like a ship amid the waves of the sea, without rower or steersman.' Newburgh, however, clouded the account by commenting on the possible racial tensions in Scotland. Newburgh implied that even those of Anglian descent living in Scotland were seen by the English as being Scottish: "the sword which they had taken up against their enemy…they turned against themselves." He then, however, refers to these people of Anglian descent as being English, living in the burghs of Scotland and comprising a portion of the Scottish army. It is relatively unclear as to whether or not this was an example of a Scottish expulsion of the English elements within Scotland, in fact a 'native reaction' to incoming Anglo-Norman ideas. What does seem clear is that this was a reaction against the loss of the king and the potential loss of sovereignty to the king of England. A reaction against English settlers in Scotland may well have been a symbolic attack against England. But whatever the motivation for this response, the key to it rests with the apparent displeasure of the Scots at the capture of their king by English forces. This suggests that the attack on the English was not an attack on incoming customs (English or otherwise), but an attack on the enemy who threatened their king and their kingdom. While there were disparate elements in Scotland, the perception was that the king of Scots was able to bring them together and provide the cohesion and unity necessary for the stability of the kingdom. Newburgh's line "the Scots declared their hatred, innate, though masked through fear of the king" may be set against Fordun's perception of the importance of the king to the stability of the kingdom.

> The highlanders and people of the islands, on the other hand, are a savage and untamed nation, rude and independent, given to rapine, ease-loving, of a docile and warm disposition, comely in person, but unsightly in dress, hostile to the English people and language, and owing to diversity of speech, even to their own nation, and exceedingly cruel. They are, however, faithful and obedient to their king and country.[103]

[103] Fordun, i, 38.

The obedience Fordun referred to, and the restraint implied by Newburgh, supports the idea that many Scots saw their kings as crucial to the stability of Scotland. Furthermore, the contemporary outlook of many Scots in the Middle Ages equated Scotland's national independence with the liberty and freedom of the native Scottish monarchy. Before concluding this chapter on Scottish kingship it might be helpful to briefly consider some of the contemporary literature which underscores the heartfelt contemporary connection between the independence of the Scottish monarchy and the freedom of the *natio Scottorum*.

The importance of the antiquity and continuity of the Scottish monarchy to both the royal houses of Scotland and the Scottish people for a sense of identity as well as a sense of unity stands out in the activities of Scotland's greatest patriots, Wallace, Murray, Douglas and Bruce, and in the writings of contemporary chroniclers and poets. John of Fordun, who not only included the ancient history of the *natio Scottorum* in his *Scotichronicon* but also commemorated the royal pedigree of its kings, underscored such sentiment, emphasizing the link between the monarchy and the nation. Fordun writes, "the instinct of the noble heart is to have a king from one's own nation, freely enjoying its customary succession."[104] We may also take the phrase in the Declaration of Arbroath which boasts of Scotland's having had over one hundred and thirteen kings, "the line unbroken by a single foreigner" as reflecting a sense of pride felt in the strength and longevity of the native institution. In complement with the contemporary value placed on dynastic and monarchical continuity was the belief in the custodial nature of Scottish kingship. It is perhaps here that mediaeval concepts of nationhood and kingship converge. As I have shown, the role of the 'community,' and that of the Guardians who governed in the name of the king but who based their authority on the institution of the Scottish monarchy, lay first and foremost in upholding the custodial duties of the king. This meant implementing national policies, maintaining the laws and customs of the realm and protecting Scotland's ancient rights and liberties; in essence, the Guardians carried out the king's obligations when he was unavailable or unable to do so himself. It is striking that in the example of Robert Bruce (Robert I) who was formally recognized during the lifetime of the more feudally 'rightful' John Balliol, we see that the only thing

[104] Fordun, i, 16.

that could undervalue personal *right* was proven dedication and *service* to the nation.[105] Both the Declaration of the Clergy (1309) and the Declaration of Arbroath (1320) bear testament to the idea that aside from a person's lawful *right* to rule, in other words royal descent, there needed to be evidence of that person's intention to serve the nation.[106] It is clear that those who eventually put their faith in Bruce recognized his (and most definitely Balliol's) previous lack of commitment to the Scottish cause. As such, we may take the stipulation in the Declaration of Arbroath that "if he should give up what he has begun, seeking to make us or our kingdom subject to the king of England or to the English, we would strive at once to drive him out as our enemy and a subverter of his own right and ours," as a not so subtle reminder that as far as the 'community' was concerned the nation's needs came before the personal ambitions of its kings.

The late fourteenth-century Scottish poet John Barbour maintained this stance taken by earlier commentators on the reigns of Balliol and Bruce, seeking to strengthen the idea of Bruce as the epitome of Scots patriotism and Balliol as the betrayer of the Scottish nation. According to Barbour, Bruce rejected Edward I's offer of the Scottish Crown following the death of Alexander III and the 'Great Cause,' because he refused to wear the Crown if his kingdom was under Edward's overlordship.

> 'Schyr,' said [Bruce], 'Sa god me save, / The kynryk zharn I nocht to have, / Bot gyff it fall off rycht to me: And gyff god will that it sa be, / I sall als frely in all thing / Hald it, as it afferis to king; Or as myn eldris forouch me / Held it in freyest reawte.[107]

Balliol, because of his willingness to compromise the liberties and freedom of the kingdom is instead granted the Crown by Edward.[108] Undoubtedly, the concept of Scotland's national freedom is the main theme of Barbour's poem, *The Brus*. In particular, two sections of the poem emphasize the contemporary value placed on the maintenance of Scotland's independence.

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[105] Matthew McDiarmid. 'The Kingship of the Scots in their Writers' *Scottish Literary Journal* Vol. 6. (May 1979) 5-18.
[106] Stones, *Anglo-Scottish Relations*, no. ; *APS*, I, 114-115.
[107] *Bruce* (Skeat) (I, 156-164) 'Sir, he answered, as God will save me, I desire not the kingdom, unless it fall to me by right; and if God will that to do so, I shall hold it in every way as freely as behoves a king, that is, in freest royalty, as my ancestors did before me.'
[108] *Bruce* (Skeat) (I, 171-178); See also Lois Ebin, 'John Barbour's *Bruce*; Poetry, History and Propaganda' *Studies in Scottish Literature*_____, 218-242.

> We for our lyvis, And for our children and our vifis / And for the fredome of our land, / [Ar strenzit] in battle for to stand, / And thai for thair mycht anerly, / And for thai leit ws lichtly, / And for thai wald distroy vs all, / Mais thame to ficht. [*sic*][109]

> A! fredome is a noble thing! / Fredome mayss man to haiff liking; / Fredome all solace to man giffis: / He levys at that frely levys! / A noble hart may haiff nane ess, Na ellys nocht that may him pless, / Giff fredome failzhe; for fre liking / Is zharnyt our all othir thing. [*sic*][110]

The striking parallel between the line in *the Brus* 'A noble hart may haiff nane ess...Giff fredome failzhe' and Fordun's 'the instinct of the noble heart is to have a king from one's own nation, freely enjoying its customary succession' may simply reflect the poet's familiarity with Fordun's chronicle.[111] The parallel, however, between these two pieces and the line in the Declaration which reads "for we fight not for glory, nor riches, but for freedom alone, which no man gives up except with his life," suggests that this was most likely sentiment commonly shared amongst the Scots. Moreover, the commitment made by Sir Alexander Seton, Sir Thomas Hay and Sir Neil Campbell in 1310 to defend their king and the liberty of his kingdom 'until the last of their breath'[112] reinforces the idea that in the Middle Ages many Scots equated the liberty of the Scottish Crown with the freedom of the Scottish people.

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[109] 'We are constrained to stand in battle for our lives, our children, our wives, and the freedom of our country, while they are made to fight only because of their mightiness, and because they esteem us lightly, and because they seek to destroy us all. It may happen yet that they shall rue their fighting.' *Bruce* (Skeat) (XII, 245-52)

[110] 'A! freedom is a noble thing. Freedom makes man to have zest in life, and gives him all comfort. He that lives free, lives at ease. A noble heart can have no ease, nor ought else to pleasure it, if freedom fail. For liberty to please oneself is desired above all things.' *Bruce* (Skeat) (I, 225-232)

[111] On this see McDiarmid. 'The Kingship of the Scots in their Writers,' 8-9.

[112] Barrow, *Anglo-Norman Era*, 148-149.

Three

The King's *probi homines*: 'Franci et Anglicis et Scottis et Galwensibus'

When members of the 'community of the realm' of Scotland gathered together at Arbroath Abbey in July of 1320 to affix their seals to the Declaration of Arbroath, they did so not as Normans, Angles, Norsemen, Gaels or Gall-Gaidhils, but as Scots. This may seem an odd assertion, but in light of a significant portion of the historiography of the Scottish people which emphasizes a disunited Scotland in the Middle Ages based on diversity of culture, race and language, it is an important and necessary one to make.[1] What stands out in the Declaration is the shared sense of 'national' continuity regardless of mixed, or different 'race'.[2] The implicit unity of the Scots in the Declaration suggests that those in attendance at Arbroath had little or no issue with racial or ethnic purity. Two lines in particular stand out:

> We are bound to him [Robert I] for the maintaining of our freedom both by his right and merits, as to him by whom salvation has been wrought unto *our people*, and by him, come what may, we mean to stand.[3]

In the second, the Scots urge the Pope to 'admonish and exhort' Edward II "to leave in peace *us Scots* (*nos Scotos*), who live in this poor little Scotland, beyond which there is no dwelling place at all, and who desire nothing but *our own*."[4] There is little doubt that

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[1] I discuss the historiography focusing on Scotland's diversity as a negative factor which prevented unity prior to the fourteenth century in the introduction of this thesis. See above, pp. 6-21.

[2] *APS*, i, p. 114; Declaration of Arbroath (trans. A. A. M. Duncan) (London: 1970). This line stands out in particular:

> it [the nation of the Scots] journeyed from Greater Scythia by the Tyrrhenian Sea and the Pillars of Hercules, and dwelt for a long span of time in Spain among the most savage peoples, but nowhere could it be subjugated by any people, however barbarous. From there is came twelve hundred years after the people of Israel crossed the Red Sea and, having first driven out the Britons, and altogether destroyed the Picts, it acquired, with many victories and untold efforts the places which it now holds, although often assailed by Norwegians, Danes and English.

The Declaration also includes a long list of grievances against Edward I and the English for their 'wrongs, killings, violence, pillage, arson' et cetera. See also above, p. 59 for discussion of the *Declaration of the Clergy of Scotland, 1309* and pp. 1-3, for the historical debate undertaken by both the Scottish and English Courts concerning the rights of English overlordship and the rights of Scottish independence.

[3] *Ibid.*

[4] *Ibid.*

the names associated with the Declaration, those who attached their seals to it, reflect both Gaelic and non-Gaelic heritage. Names like William de Soulis, Roger de Mowbray, David Lindsay, William Oliphant and Ingelram de Umphraville were undoubtedly of Anglo-Norman ancestry. Others, such as Fergus [of] Ardrossan, Donald Campbell, Malcolm of Lennox and Duncan of Fife were most likely 'native' or non Anglo-Norman. Yet, it is clear that most,[5] if not all, involved saw themselves as Scots rather than anything else.

Racial heterogeneity in mediaeval Scotland, as in many modern western nations, did not preclude members from sharing a common sense of 'national' heritage, unity and identity. Possibly Scotland's greatest patriot king, Robert I, was himself descended from a Norman family from Brix, yet he appealed to the Irish for support in his war against the English by stressing a common heritage.

> We and you and our people and your people, free since ancient times, share the same national ancestry and are urged to come together more eagerly and joyfully in friendship by a common language and common custom, we have sent over to you our beloved kinsmen, the bearers of this letter, to negotiate with you in our name about permanently strengthening and maintaining inviolate the special friendship between us and you, so that with God's will *our nation* may be able to recover her ancient liberty.[6]

This is a striking piece of political propaganda, perhaps unveiling the Scottish king's imperial glance towards Ireland.[7] More importantly, it is a contemporary reflection on nationality. Professor Barrow has argued that the scribe who wrote this letter distinguished the letter 'n' from 'v' so that *nostra natio* (our people) rather than *vestra natio* (your people) must be read.[8] On the basis of this point Barrow asserted that Bruce was arguing on behalf of the 'ancient liberty' of the *natio Scottorum* residing both in Scotland and in Ireland.[9] Clearly in this instance, the Latin *natio* referred to 'a people' rather than a geographical-political unit. However, the phrase "we and you and our

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[5] Some scholars, opposed to the idea that the Declaration of Arbroath constituted one of the greatest pieces of nationalist sentiment in the Middle Ages, have suggested that a number of 'barons' who attached their seals to this document may not have shared its sentiment. See for instance Grant G. Simpson. 'The Declaration of Arbroath Revitalised' *SHR*. Vol. LXI (1977) 11-33.
[6] *Formulary E*, ed. A. A. M. Duncan, no. 94
[7] On this subject see Colm McNamee. *The Wars of the Bruces* (East Linton: Tuckwell Press, 1997)
[8] Barrow, *Robert Bruce & The Community of the Realm of Scotland*. 3rd edition (Edinburgh: University Press, 1996), p. 314, n. 9.
[9] *Ibid*

people and your people" denotes an acknowledged separation of the two peoples.[10] While Bruce may have highlighted commonality in 'national ancestry', he was undoubtedly aware that contemporaries at home and abroad were making clear distinctions between someone hailing from Scotland and someone hailing from Ireland.[11] Perceived nationality by this period increasingly contained elements of ethnicity and race as well as political and / or geographical affiliation. An early thirteenth-century Scottish poet, Gille-Brigde Albanach, having spent most of his life working and living in Ireland demonstrated his love of country by writing 'dear to me (it is my birthright) the beautiful wood of Scotland.'[12] We recall the war-cry, *Albanaig, Albanaig*, of the Scottish army fighting under David I prior to, and at, the Battle of the Standard.[13] It is difficult to understand why a group, characterized by Richard of Hexham as being "composed of Normans, Germans, English, Northumbrians and Cumbrians, of men of Teviotdale and Lothian, of Picts (who are commonly called Galwegians) and of Scots," would uniformly cry out in this manner unless *Albanaig* was a geographical distinction. The words *Albanach* and *Albanaig* should then be taken to mean 'a Scot' and a 'person of Scotland.' It is significant that between the reigns of David I and Alexander III, nationality and the ability to identify with the 'nation' developed in Scotland amongst those who could trace their ancestry from the different parts of Gaeldom (Ireland, Argyll, and Scotia proper) as well as amongst those whose ancestors originally hailed from the Continent and south of the Forth.

The existence of such a shift is first easily detected in the activities and behaviour of the de Brus family. According to Ailred of Rievaulx, Robert de Brus who was lord of Annandale, chastised David I for the actions he undertook in his support of the Empress Matilda against many who were former associates of the king of Scots.

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[10] It is unlikely that Bruce was making a political statement, i.e. one king's subjects versus another king's subjects. There was clearly a sense of race (in its mediaeval form) or ethnicity involved in this appeal. See R. Nicholson. 'A Sequel to Edward Bruce's Invasion of Ireland' *SHR* Vol. XLII 38-39

[11] On this subject see chapter two above pp.51-52; also Ferguson, *Identity of the Scottish Nation*, pp. 19-35.

[12] P. Walsh, *Gleanings from Irish Mss.* (Dublin, 1933), 113-115. The epithet 'Albanach' generally given to a Scot living in Ireland or England was in some cases also applied to an Irish person living in Scotland. As I mentioned earlier (Chapter two, p. 51). Marianus Scotus used the word *Scotia* to differentiate between Scotland and Ireland. The epithet 'Scot', first applied to distinguish between someone from Scotland and someone from England, became a surname by the late twelfth century. One Walter son of Walter [the] Scott held land in Allardyce, Mearns around 1166. *RRS*, ii, 404.

[13] See above Chapter two, pp. 50-51

> Against whom dost thou bear arms to-day and lead this huge army? Against the English, truly, and the Normans. O king, are not these they with whom thou hast ever found useful counsel and ready help, and willing obedience besides? Since when, my lord, I ask thee hast thou found such faith in Scots that thou dost with such confidence divest and deprive thyself and thine of the counsel of the English, the help of the Normans, as if the Scots would suffice alone for thee even against the Scots?[14]

Although, this was most likely another instance where Ailred in his general manner of eulogizing the greatness of the Normans sought to denigrate the Scots, we may accept that this de Brus considered himself to be Norman or Anglo-Norman despite holding a significant portion of land in south-west Scotland.[15] At some point between the lifetime of this Robert de Brus and that of the aforementioned Robert 'the Bruce' (Robert I) a transition occurred in the way in which this family connected itself to a Scottish heritage. What is more, many families originating from the Continent or parts of England who settled in Scotland experienced such a transition. Colonists from these parts of Western Europe as well as those already native to Scotland gradually came to see themselves as one people and one *nacioun*. Despite the highland-lowland divide that developed in the later Middle Ages, Scotland in the twelfth through fourteenth centuries did not have the 'Gaelic inferiority' complex that many writers have suggested.[16] Moreover, the incoming 'Anglo-Norman' settlers did not institute a 'revolution' nor did they represent a 'conquest.' If the 'Norman' name of 'de lay' Hay and the Britonic name of Campbell associated with Scottish patriotism during the wars of independence suggest anything, it is that 'a Scot' referred to all who called Scotland their home.

Understanding how such sentiment fits within the context of a feudal society has been altogether complicated by the reluctance of many scholars to approach land tenure and military obligations during this period as mainly a form of political currency rather than a political and social outlook. This has led to the conclusion that feudalism impeded the growth of national sentiment.[17] Extended habitation within, and involvement in the customs and culture as well as the history and experience of, a 'nation,' however,

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[14] Anderson, *Scottish Annals*, p. 193.

[15] After the relationship between Robert I de Brus and David I cooled, de Brus walked away from his Scottish holdings. On his death, his oldest son Adam inherited his English lands including Cleveland while Annandale (and any other Scottish lands) passed to his youngest son Robert II de Brus. See Barrow, *Anglo-Norman Era*, p. 12.

[16] Alexander Grant. 'Scotland's 'Celtic Fringe' in the late Middle Ages: The MacDonald Lords of the Isles and the kingdom of Scotland' in R. R. Davies (ed.) *The British Isles 1100-1500. Comparisons contrasts and connections.* (Edinburgh, 1988), p. 119.

contributed to a sense of belonging and enabled many to see themselves as important to the 'community' or 'nation.' As such, it is necessary to examine the people of Scotland in the twelfth and thirteenth century, not as a concept, but rather as active participants in the development of early Scottish nationhood. If we start from the premise that the ability to identify with something as intangible as 'nationhood' generally begins with an acknowledged interest in ensuring that the rights, customs and privileges associated with a specific group, 'a people,' or with a specific geographical-political community are maintained, we see that feudal obligations did not undermine the ability to direct loyalties beyond persons immediately above in the hierarchical scale. In its most basic form, this interest roughly translated into the sustaining of personal well-being and the protection of material possessions, in a larger context, feudal obligations linked persons of a lower status to higher ranking landholders and ultimately the king creating a sense of unity.[18] In the mediaeval and early modern world where political power, prestige and economic wealth stemmed from the acquisition of land and the control of patronage, the desire to maintain one's position within the community and to protect the privileges associated with that position lent itself to creating a sense of loyalty not only towards those who controlled patronage, but towards the community at large. Consequently, active participation in the administration of the country, and ensuring that personal land-holdings along with the revenue and general services that these lands generated were protected, established a sense of ownership amongst a significant portion of the country's population. While the sources that are available for this period reveal that this had the greatest impact on those individuals who constituted the political community, that is the king and his greater subjects, there is no reason to see those individuals who were not active within the political community, as having had little or no connection to the Scottish nation. When Robert I summoned all *libertenentes* (freeholders) to the Scottish parliament in 1318, it was not on account of feudal obligation but rather on the belief that every Scot who had a stake in the business being conducted there should be in

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[17] See above, p. 12, n. 41

[18] R. Van Caenegem, 'Government, Law and Society' in J. H. Burns (ed.) *The Cambridge History of Medieval Political Thought, c.350-c.1450.* (Cambridge: University Press, 1988), 198-210.

attendance.[19] In Scotland, where a number of 'freeholders' or lesser landholders participated in the local political and economic administration of the period[20] or experienced relatively little royal or government intrusion into their day to day dealings, a desire to protect their status emerged. It is significant that those in Scotland who did not constitute the 'greater lairds' or *probitas communitas*, saw themselves as part of a greater Scottish community and played an active role, especially during the wars of independence, in defending the Scottish nation.[21]

The main concern of this chapter then is to chart over three successive reigns from David I to William I (which the sources show to have been a critical period for the development of national identities in Scotland) the patronage of Scottish kings and a number of the great magnates. From such an examination it becomes clear that as a result of the settlement and integration of a number of families in various districts of Scotland during this ninety-year period that loyalties to the Crown and the country were strengthened. Moreover, continuous habitation amongst those families who were relatively new to Scotland in the twelfth century as well as involvement in the various customs and cultures coexisting there presented the occasion for contemporary self-recognition of Scottish nationality. As will be shown, the form the distribution of the king's patronage took reveals that areas north-west of the highland line (the areas predominantly made up of 'Gaelic' settlements) experienced only slight infiltration of non-native families. On the other hand, areas long known to have had Anglian and Britonnic settlements experienced a significant introduction of families of Anglo-French extraction. A closer examination of the phenomenon of 'giving' during this period reveals the vital connection between all the peoples of Scotland, the land and the Crown,

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[19] On the early Scottish parliaments see A. A. M. Duncan, 'Early Parliaments of Scotland' *SHR*, XLV (1966), 36-58.

[20] *CDS*, ii, no. 1670, indicates that a number of 'knights and freeholders' sat on an inquisition (31 May 1305); A Writ of 1328 specifically summoned 'freeholders (*libertenentes*) to the Scottish Parliament. This is similar to another Writ of 1318 which reads 'earls, barons and other magnates and the community and legislation with the consent of the aforesaid earls, barons, freeholders and aforesaid community' *APS*, I, p. 466.

[21] Professor Barrow has shown that the freeholders played a significant role in defending the Scottish kingdom against the English in the late thirteenth and early fourteenth centuries. Of those who followed William Wallace, himself a freeholder, forty-two freeholders from parts of Lothian and Southern Scotland incurred forfeiture, another twenty three tenements were *in manu prioris* and twenty four others were under inquiry following the general peace with England after Falkirk. See Barrow, 'Lothian in the First War of Independence, 1296-1328' *SHR* LV (1976), 151-171, especially 153-154.

and will help clarify many of the issues surrounding the evolution of the national identity of mediaeval Scotland.

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Recent scholarship on Scotland in the so-called 'Norman era' has been inclined to highlight the balance that Scottish kings after Malcolm III sought to manage between older traditions and customs and newer political, military and social institutions that were spreading across Western Europe.[22] The study of the settlement of many Anglo-Norman families in parts of Scotland, especially under David I and his successors Malcolm IV and William I (the Lion), has not experienced this same degree of revision. The prevailing attitude amongst both English and Scottish historians is that Scotland between David I and Alexander III experienced something of a Norman conquest.[23] However, it still remains to be determined the extent to which the incoming 'conquistidor'-settlers, originally from the Continent via parts of England, displaced native landholders. Although David I and 'the most Normanizing of Scots kings' William I have been portrayed as harbingers of change, to what extent change had already been set into motion prior to the reigns of these kings and prior to the increased emigration to Scotland of Continental and Anglian settlers is still uncertain. What burden of responsibility then should be placed on the relatively moderate influx of non-native landholders into Scotland for such change? Despite the propensity for scholars of mediaeval Scotland to present the population as being divided and separate, the activities of the Scots from the middle of the twelfth century onwards reveals a different situation requiring further examination. Thus, while many choose to see the Scottish wars of independence as the anvil on which Scottish identity and nationhood were forged, I intend to show that the people of Scotland already identified themselves with their country prior to the wars. Within a generation of settling in Scotland, families such as the fitz Alans (Stewarts),

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[22] For instance, G. W. S. Barrow's *David I: The Balance of the New and the Old.* Stenton Lecture, 1984 (Reading: University of Reading press, 1985)

[23] R.L. G. Ritchie states in the opening lines of his work on the Normans in Scotland that 'There was a Norman Conquest of Scotland. It was not a conquest in the military sense.' He proceeded to outline what in his mind was a cultural and 'dynastical' Normanization of Britain. Ritchie, *The Normans in Scotland*, p. xi; For similar arguments see, W. E. Kapelle, *The Norman Conquest of the North. The Region and its Transformation, 1000-1135.* (Chapel Hill: University of Northern Carolina Press, 1979; John Le Patourel, *The Norman Empire.* (Oxford: Clarendon Press, 1976).

Oliphants, Corbets, Somervilles and Lindsays increasingly saw themselves as Scots. Clearly, 'la bone gent d'Escoce' *or* the 'probitas communitas' provided the mettle by which the Scottish identity remained strong and the Scottish *nacioun* remained independent during the Middle Ages.

On the eve of King Edgar's death in 1107 the population of Scotland was approximately 250 000 people. By the late fourteenth century it had risen to somewhere between 400 000 and 470 000.[24] Because of the limited available sources for this subject, population distribution in Scotland before the fifteenth century is relatively unclear. It is believed that a significant portion of the Scottish population during this period resided in Lothian and other mainly lowland regions of Scotland.[25] By the mid-twelfth century areas such as Galloway and Moray began to experience slight infiltration of non-native settlers. To what extent any displacement took place in these regions however is still subject to conjecture.[26] From what is known, David I and his successors introduced a number of colonists into Scotland who for the most part encouraged their families to set down roots. Such familiar Scottish surnames as Montgomery, Hay, Oliphant, Bruce, Murray, Douglas, Somerville, Corbet and Lindsay are derived from families originally hailing from areas outwith Scotland. That said, it is generally accepted that for centuries before the reign of David I peoples of Anglian, Britonic and Norse background began settling the land in Cumbria, Argyle, Lothian and other areas south and west of Scotia proper. The introduction of 'Norman' settlers by Scottish kings after 1124 was perhaps the first 'organized' attempt to introduce foreign settlement in Scotland.[27] The process by which this settlement was instituted, however, could hardly have amounted to 'conquest' or to a policy of forced colonization. Rather, the sources suggest that a gradual process developed whereby members of the Scottish royal family began to extend lands in

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[24] Using Lord Cooper as their main source, S. Lythe and J. Butt in their *An Economic History of Scotland, 1100-1939* (Glasgow and London: Blackie and Son Ltd., 1975) estimated that the rise in population between the reign of Edgar (d. 1104) and Robert II (d.) was somewhere around 200 000 people, p. 4.
[25] Lythe and Butt, *An Economic History of Scotland*, pp. 4-5.
[26] See for example, Richard D. Oram. 'A Family Business? Colonisation and Settlement in Twelfth- and Thirteenth-century Galloway' *SHR* LXXII (1993) 111-145, especially pp. 126-135.
[27] Previous kings such as Macbeth, Malcolm III and Edgar and Alexander I had brought Norman knights into Scotland and settled a few of them, though there is no surviving record of any significant settlement prior to the reign of David I.

Scotland to families whom they had contact with from their lands or dealings south of Berwick.[28]

As a result of the shifting Anglo-Scottish border prior to 1153, any analysis of Anglo-Norman settlement in Scotland becomes somewhat more complicated. The aggressive policy undertaken by kings of Scots from Malcolm III to William I to secure the entire region north of the Rere Cross on Stainmore Common, in what is now the English county of Cumbria (formerly Westmoreland) and roughly on a line with the river Tees, (which Scottish kings before Alexander II saw as being a natural extension of the Scottish realm) blurs the distinction between external and internal colonization. If these kings of Scots perceived their kingdom's boundary to extend south to the Rere Cross on Stainmore Common and saw Northumbria as being 'rightfully' theirs, can we continue to see the granting of lands further north to colonists from these territories as external colonization? It is significant that with the possible exception of Freskin the Fleming, all 'incoming' settlers enfeudated by David I settled primarily in southern Scotland; areas that had for the most part been under the nominal control of David prior to his accession to the throne.[29] Regardless of this matter, a number of families who previously had stronger ties to England and parts of France gradually came to see Scotland as their *patria*.

David I acceded to the throne of Scotland in 1124, and although Ailred of Rievaulx may have been David's most vocal admirer, John of Fordun, writing within a lifetime of Robert I deserves some recognition for his fond appeal to David's legacy.

> David, the youngest of the sons of Malcolm and Margaret, and the pride of his race, succeeded his brother Alexander in the year above mentioned [1124]....and reigned twenty-nine years, two months, and three days.....vigorous towards his people; sagacious in the task he was intent upon, of enlarging the kingdom by fair means and, in short, he shone forth in the beauty of every virtue....How very powerful this king was, how many conquests he made, above all other kings, by fair means.[30]

We can not be certain what Fordun's idea of 'fair means' constituted. It is not impossible that Fordun saw the introduction of families such as Bruce and Stewart into Scotland as

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[28] Ailred of Rievaulx makes a number of references to various Anglo-Norman landholders acquainted with David from his youth including Robert de Brus, Eustace fitz John and Alan de Percy in his *De Standardo*, in *Chronicles of Stephen etc.*, Vol. III, pp. 189-191

[29] See Maps between pp. 109-113 and their keys (appended to the back of this chapter). This is based upon available sources.

[30] *Fordun*, ii, p. 221

fair means, more likely a feat worthy of national praise.[31] But it is improbable that Fordun and his contemporaries associated the families of Bruce or Stewart, or any other 'great' Scottish family at that time, with a policy of conquest or colonization. We may assume that Fordun was merely re-asserting David's right to wage war in Northumbria and Cumbria and commending him for his success in extending royal administration into Moray and Lothian as a means of consolidating and 'enlarging the kingdom.' As many scholars have argued, it was necessary for Scottish kings to incorporate both the means and the manpower to facilitate this process.[32] This undoubtedly meant introducing feudal institutions into Scotland and courting potential 'colonists' from England who were familiar with feudal obligations and willing to uphold them.[33] While contemporary sources inform us of the king's occasional enfeoffment of persons not generally regarded as 'great lords' or even minor lords—the cooks, brewers, millers, falconers, ironsmiths and other lesser landholders—for the most part notices of more significant grants of land, such as the granting of the lordships of Renfrew, Lauderdale and Annandale are much more common. As such, with the exception of the occasional reference to the *libertenentes* and 'free-men' in Scotland, the focus of this chapter will be primarily on the middle and upper strata of mediaeval Scottish society. Still, it is significant that the greatest lordships lay in areas most vulnerable to external invasion. Who better to enfeoff in these regions then those most capable of building castles and providing the necessary means of defence. What is striking is how quickly 'native' landholders adopted feudal customs and began providing the same service to the crown.

Many of the major 'lordships' in Scotland were granted by David I to families who either owed fealty to, or were acquainted with, the Scottish king through his holdings in Huntingdon and Northumbria.[34] An example of the latter case was Walter

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[31] Barbour's appeal to the families surrounding Bruce, see Lois Ebin

[32] See below, n. 34

[33] For feudalism in its theoretical context see R. Van Caenegem, 'Government, Law and society' in Burns (ed.) *Cambridge History of Medieval Political Thought, c. 350-c. 1450.* (Cambridge: University Press, 1988), 174-211, especially, 198-211.

[34] These 'major lordships' have been studied in some detail by a number of historians. General studies on this subject include the seminal work by R. L. G. Ritchie, *The Normans in Scotland.* (Edinburgh: University Press, 1954); also the major works by G. W. S. Barrow including *Feudal Britain.* (London: Edward Arnold, 1956), *The Kingdom of the Scots: Government, Church and Society from the eleventh to the fourteenth century.* (London: Edward Arnold, 1973), *The Anglo-Norman Era in Scottish History.*

fitz Alan. The 'Stewart' lordship created for this third son of the hereditary seneschal of the bishops of Dol in Brittany, consisted of lands in Berwickshire, Ayrshire, and most, if not all of Renfrewshire.[35] While it is not entirely clear what motivated Walter to take up service with King David, it is most likely that his situation as the 'poor' younger son influenced his decision. Sometime after 1136, David made Walter hereditary *dapifer* or steward, an appointment later re-confirmed by Malcolm IV.[36] It is interesting that settling within the Stewart lordship were many families originally from lands controlled by fitz Alan's brother William in Shropshire. For example, Gilbert fitz Richer, Henry of Nes, Henry St. Martin, Peter and Robert fitz Fulbert, Ralph de L'Isle, and Richard the Welshman or (le Walensis—Wallace) all held lands of Walter before 1166.[37] Walter was also in control of various lands in Lanarkshire including Cathcart as well as lands in East Lothian (Innerwick and Stenton). Through his marriage to Eschina de Londres he held the lands of Mow and Hassendean in Roxburghshire.[38] As such, the descendants of this younger son of Alan son of Flaad the Breton, came to hold a sizable portion of land in Scotland. As hereditary stewards of *Scotia*, they also began to wield a significant amount of power and influence at the Scottish court.

Another of the great lords introduced by David I was Robert de Brus, a Norman from Brix in the Cotentin who held land and favour in England of Henry Beauclerc (Henry I). Ailred writes, that while de Brus "was of the right of the English king [he] had yet from his youth adhered to the king of Scotland, and had attained to the greatest friendship with him."[39]

(Oxford: Clarendon Press, 1980); See also, A. A. M. Duncan's, *Scotland: The Making of the Kingdom.* (Edinburgh: Oliver and Boyd, 1975).

[35] *RRS*, i, 184; See also Map 1 and its corresponding key; Walter fitz Alan held very little land in England. It is likely that he held North Stoke, near Arundel of his brother William fitz Alan, lord of Oswestry. Other English lands included, Manhood near Chichester. See Barrow, *Kingdom of the Scots*, pp. 337-361; also Barrow, *Anglo-Norman Era*, pp. 13, 65-66.

[36] *RRS*, i, 184

[37] Barrow has done extensive work on the Stewart holdings and enfeoffment in Scotland. See *Kingdom of the Scots*, pp. 355-359

[38] *RRS*, i, 184; *RRS*, ii, 219.

[39] *Ailred of Rievaulx, De Standardo,* in *Chronicles of Stephen, Etc.*, Vol. III, pp. 192-195; Translation in Anderson, *Scottish Annals*, p. 193.

The oldest surviving charter from David's reign is the grant to Robert de Brus of the Vale of Annan sometime in 1124, most likely on the day of David's inauguration.[40] It is telling that David's very first grant as king of Scots was made to a devoted follower from his youth spent at the court of Henry I. This lordship of 'Annandale' comprised most of southern Dumfriesshire and lay next to the lordship of Eskdale held of another Anglo-Norman newcomer, Robert Avenel. It seems likely that the subdivisions created by David I in Scottish Cumbria of Liddesdale, Annandale, Eskdale, and Clydsdale represented a concerted effort of fully incorporating (dismantling and reconstituting?) the old kingdom of Strathclyde held by Scottish kings since 1018.[41] Prior to David's accession as king of Scots he was *princeps Cumbriensis* or Prince of the Cumbrians controlling most of southern Scotland. In a grant made shortly before his death in 1107, King Edgar bequeathed Lothian south of Lammermuir, Cumbria and Teviotdale to 'his younger brother David.'[42] The historical significance of this act rests in part on the response of Alexander I, Edgar's heir and David's older brother, to this grant and on how David approached his enfeoffment of Anglo-Norman colonists with lands in these regions. Various chronicle accounts suggest that Alexander had to be forcibly motivated to confirm this grant to David.[43] In the speech attributed to Robert de Brus before the Battle of the Standard, David is reminded of his good fortune to have had the support of the English and Normans against Alexander. It deserves full quotation here.

> ....oh king, when thou didst demand from thy brother Alexander the part of the kingdom which the same brother [Edgar] had bequeathed to thee at his death didst obtain without bloodshed all that thou wouldst, through the fear of us. Remember when in a past year thou didst beseech for the aid of the English against Malcolm, the heir of his father's [Alexander I?] hatred and persecution, how joyful, how eager, how willing to help...how they terrified all thy enemies, until they took Malcolm himself, surrendered to them; taken, they bound him; and delivered him over bound. So did the fear of us while binding his limbs bind still more the courage of the Scots, and by quenching all hope of success remove the presumption to rebel.[44]

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[40] *ESC*, LIV. Unfortunately, this charter is the only surviving documentation of this first period of 'colonization' as Barrow referred to it, under David I. See Barrow, *Kingdom of the Scots*, p. 281. Judith Green argued that it was not unreasonable for de Brus to have held the lordship of Annandale prior to David's accession and to have received the charter for the grant on the day of David's inauguration. Green, 'David I and Henry I' *SHR* LXXV (1996), 1-19, p. 12.

[41] *RRS*, i, p. 38. Barrow suggested that the relatively few occurrences of 'Welshmen' in the racial address of the charters of David and Malcolm IV indicated a lapse in perceived Cumbrian identity amongst the Scots.

[42] *RRS*, i, 49

[43] On this see Anderson, *Early Sources*, pp. 166-167.

[44] Ailred of Rievaulx, *De Bello Standardo*, in *Chronicles of Stephen, Etc.*, Vol. III, pp. 192-195

It is misleading to see David's use of Norman knights to put down the rebellion in Moray led by Angus, 'earl' of Moray and a certain Malcolm[45] as being analogous to the so-called Norman conquest of Scotland.[46] Nonetheless, it is telling that some Anglo-Normans settling in Scotland, but more likely the Anglo-Norman chroniclers with greater connections to the English court, saw the role of these individuals as being fundamental to the consolidation of the Scottish kingdom. Shortly after meeting David's refusal to forgo his attack on Northumbria on behalf of the Empress Matilda, Robert de Brus "after the ancestral custom broke the chain of fealty by which he had hitherto been bound to the king [David I], and returned not without great grief, to his countrymen."[47]

Prior to his falling out with David I, Robert I de Brus[48] enjoyed the king's full confidence and figured prominently in many charter attestations and at the court of the Scottish king.[49] Yet, when William I re-confirmed the grant of Annandale to Robert II de Brus sometime around 1172, it appears that he purposely 'clipped' the judicial franchise enjoyed previously by the de Brus family. That this was on account of the disloyalty shown by the elder Robert de Brus seems certain.[50]

> To Robert de Brus all the land which his father and he held in Annandale, by the same marches as those which they held it, to be held in feu and heritage, as freely as his father or he himself held it in the time of King David I and King Malcolm IV, for the service of ten knights, exempt from ward of the king's castles' *saving also to the king the regalia pertaining to his regality, viz. treasure trove, murder, premeditated assault, rape of women, arson and plunder, which causes the king has reserved to himself.*[51]

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[45] Orderic Vital writes 'But Malcolm base-born son of Alexander [I], affected to snatch the kingdom from his uncle, and fought against him two sufficiently fierce battles.' *Historia Ecclesiastica*, VIII, 20 in Migne's *Patrologia*, Vol. 188, Col. 622.

[46] For example, Macbeth used Norman knights for defence of his entire kingdom. See Barrow, 'Macbeth and Other Mormaers of Moray' in L. MacLean (ed.) *The Hub of the Highlands: The Book of Inverness and District. The Centenary Volume of the Inverness Field Club* (Edinburgh: Albyn Press, 1975) p. 117.

[47] Anderson, *Scottish Annals*, p. 195

[48] This Robert I de Brus is not to be confused with Robert I, King of Scotland.

[49] According to R. Andrew McDonald Robert de Brus attested at least thirteen charters of David I. See McDonald, *Kings and Princes in Scotland: Aristocratic Interactions in the Anglo-Norman Era.* (University of Guelph PhD Thesis, 1993) Appendix 1, p. 454

[50] See A. A. M. Duncan, 'The Bruces of Annandale, 1100-1304' in *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, 3rd Series, LXIX (1994), pp. 91-93

[51] *RRS*, ii, 80.

It is possible that this second Robert de Brus held Annandale of David I and Malcolm IV after the first Robert de Brus had renounced his fealty to David.[52] What stands out is the price he was required to pay for holding this land. Compared to the extremely generous grant made to Walter fitz Alan of the lands he held in Ayrshire, Berwickshire and Renfrewshire for the service of five knights, the grant of Annandale to Robert de Brus for ten knight's service was rather steep.[53] Moreover, the lack of faith shown by William I in the de Brus family by restricting their rights suggests that the kings of Scotland were not looking for absentee land holders or for any who would put their English interests ahead of their Scottish interests.

Despite the sometimes tenuous relationship between kings of Scots and the de Brus family from the middle of the twelfth century to the end of William I's reign, the de Brus' family continued to play a prominent role in Scottish politics. The marriage of Robert IV de Brus to Isabel the daughter of Earl David of Huntingdon and Lord of Garioch (youngest brother of Malcolm IV and William I) suggests that there was a significant degree of reconciliation between the Scottish royals and the de Brus family. Amongst the de Brus following in late twelfth-century Scotland were Adam Seton, Laurence Berkeley, Thomas the Clerk and Roger Avenel. While it is not known for certain the descent of these followers, Adam Seton was most likely from the area of Seton in Tranent East Lothian[54] and Roger Avenel was likely connected to the lords of Eskdale.[55] This suggests that the de Brus' family carried sway over a significant part of southern Scotland, or at least had influence enough to draw on a number of settlers in this region for various duties or support.[56] Through their connection to the Scottish court and their influence in southern Scotland this family rose to the status of royalty. Such a

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[52] This Robert de Brus fought with David at Northallerton (most likely as Lord of Annadale) but was taken prisoner by his father and handed over to Stephen. See Duncan, 'The Bruces of Annandale, 1100-1304' pp. 91-93

[53] It is likely that the earls of Fife held their entire earldom for only two knight's-service, if this was the case then the terms by which the de Brus family held Annandale was indeed high. See Barrow, 'The Earls of Fife in the Twelfth Century' in *PSAS*, LXXXVII, (1955) 51-63, p. 63.

[54] See Map 3 and its corresponding key for the holdings of Alexander, son of Philip, of Seton. It is difficult to tell whether or not Adam Seton was related to this family or like many other landholders from this period simply adopted the region as a surname. See also *RRS*, ii, 390

[55] See Map 1 for the Avenel holdings in Eskdale and Innerwick.

[56] *Ibid.*, pp. 100-101

process undoubtedly resulted from their involvement in Scotland over generations and the gradual adoption of the land as their *patria*.

One of the more successful Anglo-Norman newcomers to Scotland was Hugh de Moreville lord of Cunningham in Ayrshire and Lauderdale in Berwickshire who is first mentioned as a witness to a charter of Earl David (later David I) regarding the rights of the monks of St. Cuthbert to 'Horeworedene' *circa* 1118.[57] While the name de Moreville faded from Scottish history on the death of William de Moreville without heir in 1196, the significant contributions made by these early lords of Lauderdale were long lasting. Perhaps the greatest contribution came in the form of Hugh de Moreville's foundation of Dryburgh Abbey (Berwickshire) sometime around 1150-1152.[58] During the conflict that developed over David's holding of the earldom of Huntingdon in the second quarter of the twelfth century, the de Moreville connection with Dryburgh Abbey brought the issue of loyalties out in the open. Through his marriage to Beatrice de Beauchamp, Hugh de Moreville acquired land in Bozeat, Northamptonshire. Sometime after 1152 Beatrice granted this land to Dryburgh Abbey.[59] In support of the de Senlis struggle with the Scottish Crown over the earldom of Huntingdon (where the Moreville lands in Bozeat fell), Walter de Isel intruded into Bozeat and granted the church there to St. James Abbey, Northamptonshire to counter what was seen as the 'pro-Scottish' de Moreville grant.[60]

As Map 1 indicates, the de Moreville holdings in Scotland before 1140 consisted of two major lordships, as well as significant parcels of land in Roxburghshire (St. Boswells) and in Berwickshire (Merton and Nenthorn) as well as Saltoun in east Lothian.[61] Moreover, by 1150 Hugh had become hereditary Constable of Scotland. As Barrow noted in his seminal work *Kingdom of the Scots*, David I and his successors instituted a policy of enfeoffing these 'greater lords' with lands in both south western and

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[57] *ESC*, XXXII.; See also *ESC*, XLVI. Keith Stringer noted that de Moreville's first real notice came in 1120 when he is mentioned in another charter of David I as being one of David's 'nobles and knights.' Stringer, 'The Early Lords of Lauderdale, Dryburgh Abbey and St. Andrew's Priory at Northampton' in Stringer (ed.) *Essays on the Nobility of Medieval Scotland.* (Edinburgh: John Donald Publishers, Ltd., 1985) p. 46

[58] *ESC*, CCXVII-CCXIX

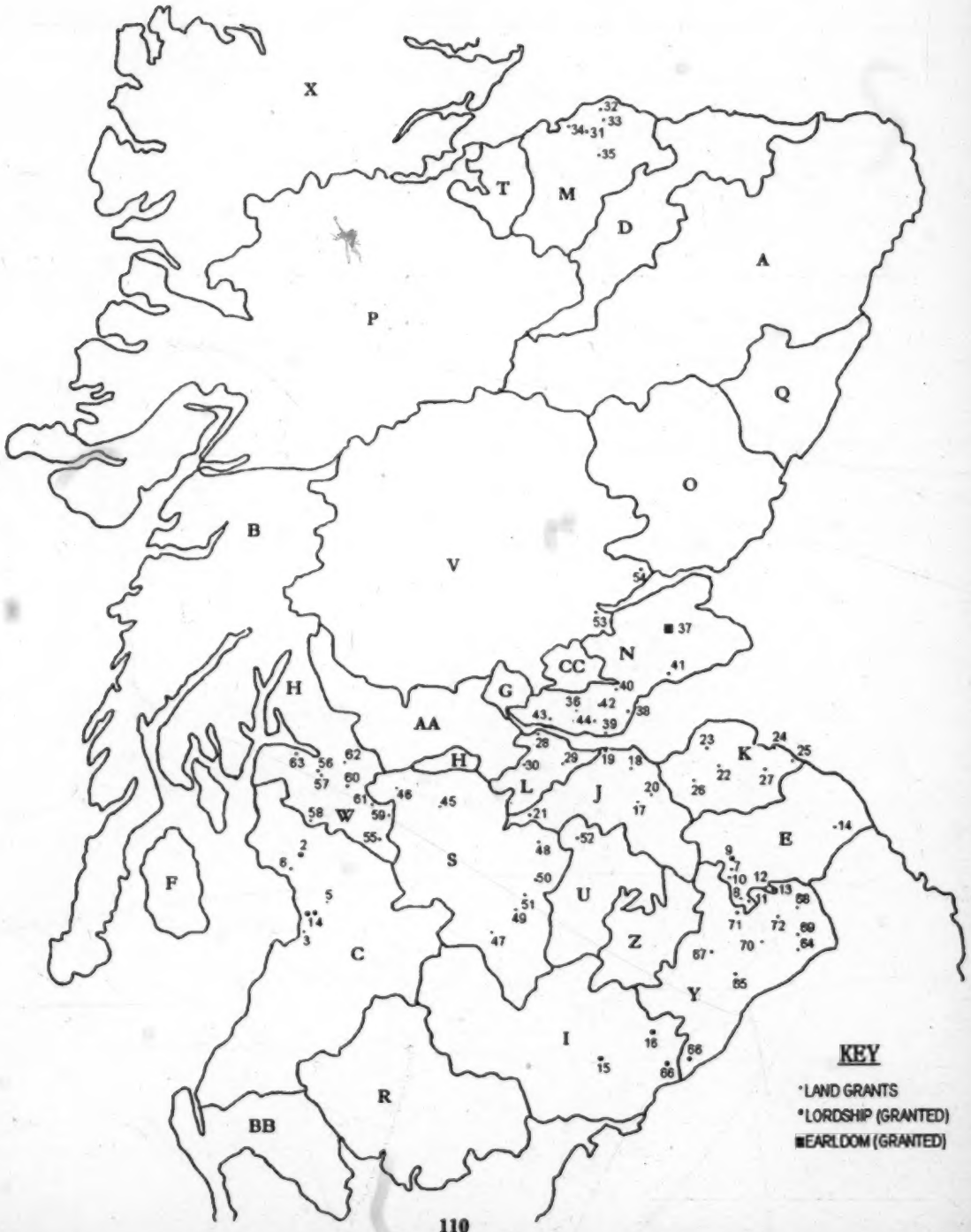
[59] *ESC*, CCXIX

[60] Stringer, 'Early Lords of Lauderdale,' p. 45.

[61] Duncan, *Scotland: Making of the Kingdom.*, pp. 135-136; Barrow, *Anglo-Norman Era.* p. 71.

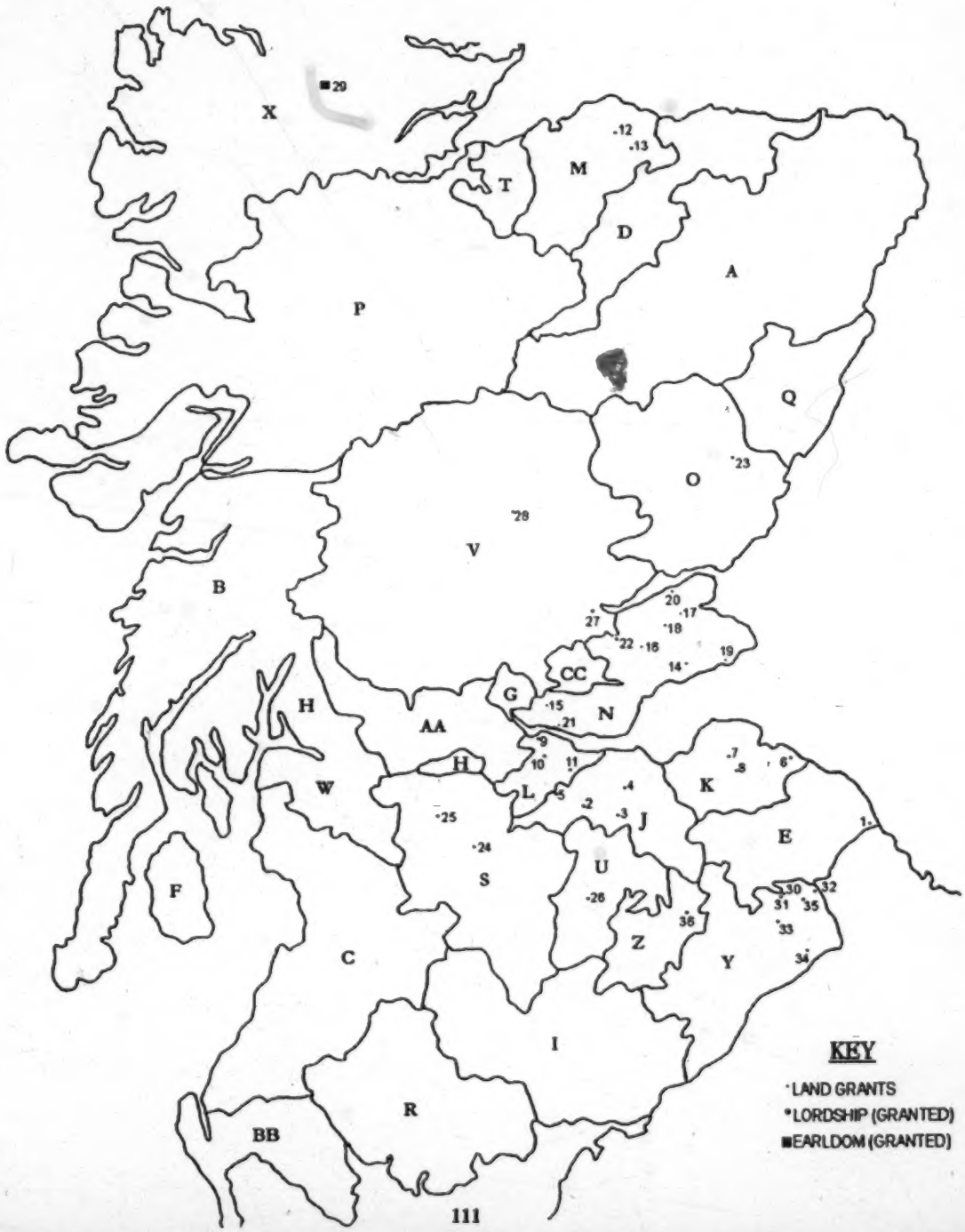
MAP 1

Crown Land Grants 1124-1153



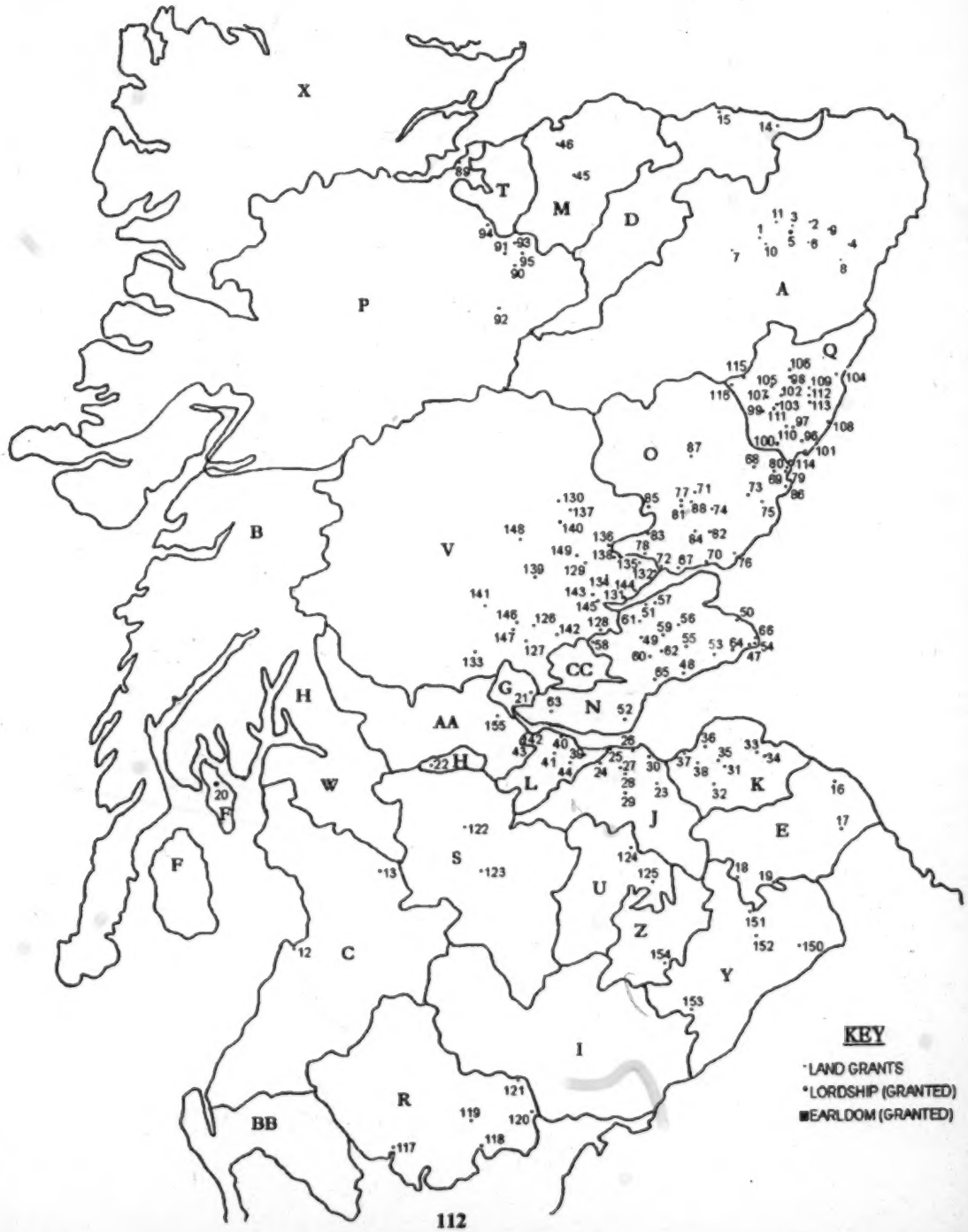
MAP 2

Crown Land Grants 1153-1165



MAP 3

Crown Land Grants 1165-1214



south eastern Scotland.[62] It appears that while Scottish kings had little problem parceling out substantial portions of land, they nevertheless prevented as best they could the development of compact and consolidated lordships which might induce unruly and overhaughty behaviour amongst these Scottish lords.[63] However, by the end of the twelfth century, many of the Scottish magnates had begun establishing vast lordships.

As hereditary Constable and Lord of Lauderdale and Cunningham, the de Moreville influence at the Scottish court was substantial. It is interesting to note that de Moreville's influence with David had been established prior to David's accession and Hugh de Moreville's enfeoffment in Scotland. Others have given sufficient treatment of the history of the de Moreville's in Britain, so little rehearsal is needed here.[64] Suffice it to say that Hugh, unlike Robert I de Brus, held little land in England and came from rather humble beginnings. It is perhaps on account of the loyalty shown to David I that this humble 'Norman adventurer' became a substantial landholder in Scotland. Further to this, the de Moreville holdings in England—the lordship of Westmoreland Proper was bestowed upon Hugh de Moreville by David I, obviously during a period when the Scottish king controlled this territory—never seemed imposing or provided a threat to the obligations and loyalties required by a major Scottish magnate. Despite the assertion by Stringer that the de Moreville's never lost an opportunity of augmenting their English lands, there is no reason to believe that there was a division in loyalty.[65] Too much has been made of the conflicts that arose out of holding lands on both sides of the border; although there is little doubt that such conflicts arose. But for many cross border landholders, their lands generally fell into primary and secondary categories. This often meant that for those based primarily in Scotland, the lands they held in England were often minor in comparison to their Scottish holdings; these were additional sources of

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[62] Barrow, *Kingdom of the Scots*, p. 281; See also the Maps in this chapter

[63] This was the case even amongst the native earls. For example, the earldom of Fife in 1136 when David granted it to Duncan for 'certain specified service' was a scattering of fiefs rather than a compact earldom such as Buchan and Strathearn. See *RRS*, i, 63 for the grant of the earldom of Fife to Duncan I, *c.* 1136. See G. W. S. Barrow, 'The Earls of Fife in the Twelfth century' p. 56.

[64] Barrow, *Anglo-Norman Era*, p. 71; Stringer, 'Early Lords of Lauderdale,' pp. 45-46; Duncan, *Scotland: Making of the Kingdom*. pp. 135-136.

[65] Stringer, 'Early Lords of Lauderdale' p. 47

wealth not *patria*.[66] Loyalties became more of an issue when English lands rivaled Scottish lands in terms of the wealth and power they accorded to the landholder.[67] In this case the degree to which a certain lord was connected to either Crown or shown favour influenced where their loyalties would be directed. Continuous habitation and direct involvement in the promotion of the policies and customs of the kingdom undoubtedly brought the idea of *patria* and patriotic loyalty into play. It is interesting that on account of the marriage of Helen de Moreville to Roland, lord of Galloway and the death of William de Moreville, that the hereditary constableship and de Moreville lands passed into the hands of a 'native' Scottish magnate. This matrimonial induced ethnic blending, experienced by many throughout this period, became a fundamental step in the development of Scots nationality. It was certainly a step away from earlier sentiment, such as that espoused by Isidore of Seville, where the "*conubia inter alienigenas prohibita*—right of intermarriage with foreigners [was] prohibited."[68] It is also possible that these colonists were no longer seen as foreign conquistadors but as Scots.

Other significant lordships granted during the reign of David I and his grandson William I, included Eskdale, Liddesdale, Garioch, Cromdale and Strathaan. As Maps 1 & 3 show, these areas bordered territories which were either newly attached to the Scottish core (Cromdale and Strathaan) or fell close to the Anglo-Scottish border (Eskdale and Liddesdale). Keep in mind that the introduction of Anglo-Norman settlers into Scottish lordships did not include areas such as Galloway and the Isles nor the earldoms that represented the 'ancient provinces' of Scotland. It is fair to say that Scottish kings parceled out land to those who could provide the necessary services to maintain and defend the Scottish kingdom. Such was the case in Eskdale, where David granted to Robert Avenel the lordship 'for his service.'[69] Others, such as Ranulf de Soules gained lands on account of their holding royal office. De Soules, the ancestor of a

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[66] This could also be the case for English landholders holding land in Scotland. See Charlotte A. Newman, *The Anglo-Norman Nobility in the Reign of Henry I: The Second Generation.* (Philadelphia: University of Pennsylvania Press, 1988); Keith Stringer. *Earl David of Huntingdon, 1152-1219. A Study in Anglo-Scottish History.* (Edinburgh: University Press, 1985)

[67] Marc Bloch, *Feudal Society.* L. A. Manyon (trans.) (Chicago: University Press, 1962) p. 214. Bloch discussed the issue of the 'plurality of homage' and the complexities and conflicts involved. pp. 211-218.

[68] See above chapter one, p. 30.

[69] *RRS*, i, 60

line of royal butlers,[70] was lord of Liddesdale, which lies in southern Scotland straddling the south eastern portion of Dumfriesshire and the south western part of Roxburghshire.[71] While controversy surrounds this family's alleged disloyalty to the Scottish crown,[72] two names associated with the lords of Liddesdale bear little of the same tarnish. The de la Hays and the Agnews were related to the de Soules family, although in rank and holdings they were relatively junior branches.[73] The granting of the lordships of Garioch, Cromdale and Strathaan belong to the reign of William I. What makes these grants interesting is that William the 'most Norman' of Scottish kings bequeathed them to two individuals who could claim to have been of native stock. Cromdale and Strathaan were granted before 1190 to Earl Malcolm of Fife.[74] William granted the lordship of Garioch in Aberdeenshire to his youngest brother David, already earl of Huntingdon, sometime around 1178.[75] This enfeoffment of significant lands to two senior magnates in the realm constituted a strengthening of loyalties to the Scottish crown.

William I's heir, Alexander, continued this process of extending large lordships to members of the higher ranking landholders with proven loyalties in Scotland as a means of safeguarding the liberties of the crown and setting loyal supporters in position to control and monitor the activities of the kingdom. The Comyn family, who first entered the service of King David sometime around 1136,[76] had by the mid-thirteenth century become one of Scotland's greatest baronial families.[77] The grant of lands in Tynedale to

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[70] The grant of this office no longer exists and it is difficult to tell whether or not Ranulf's office was an individual or heritable grant. What is known is that by the mid-1160s the office was clearly held of the Soules family. See *RRS*, i, p. 34

[71] *RRS*, i, 44; See Map 1, no. 66 in the key to Map 1 at the back of this chapter.

[72] The Soules conspiracy of 1320 brought ill repute on this Scottish family. It is difficult to tell whether the attempted plot on Robert I's life was racially motivated, i.e. an English attack on the Scots, or a political maneuvre on behalf of the Balliol family. See Barrow, *Robert Bruce*, pp. 240, 276, 309-310

[73] The de la Hay family originated from La Haye-Bellefonds situated next to Soulles on the Continent. Cadet branches of this family were from La Haye-Hue and Les Agneaux. Hence, the William des Aigneus who witnessed a charter of the younger Ranulf de Soules *c.* 1200 may represent the first Scottish Agnew. See Barrow, *Kingdom of the Scots*, p. 326.

[74] *Moray Reg.* 62-63, See Map 3.

[75] *RRS*, ii, 205. See also Map 3. In the charter granting Garioch to earl David, William I also granted land in Fife, Angus, Perthshire and Midlothian, not to mention the earldom of Lennox. David held these lands for the service of ten knights, incidentally the same service required of Robert de Brus for his lordship of Annandale.

[76] See *RRS*, i, pp. 109-111. Hugh Cumin [Comyn] was David's chancellor from 1136-1141, it is likely that he had a previous connection to the king of Scots probably from David's holdings in Northumbria.

[77] See Alan Young, *Robert the Bruce's Rivals: The Comyns, 1212-1314*. (East Linton: Tuckwell Press, 1998) for a decent history of this baronial family.

Richard Comyn, nephew of David's chancellor Hugh, and his wife Hextilda brought the Comyns even closer to royal favour. Again, this was an instance where an incoming colonist married a daughter of a native magnate establishing both political and cultural roots in his new lands.[78] While the charter granting West Linton to Richard Comyn no longer exists, it is likely that it followed shortly the grant already made to Richard of Tynedale. Apart from Hugh Comyn's role as chancellor, the Comyn family exercised little power and afforded only minor influence in Scotland before the reign of Alexander II. Nonetheless, their presence in Scotland and their connection to the royal court was sufficient to bring them lordships in Buchan,[79] Badenoch,[80] East Kilbride,[81] Kirkintilloch,[82] Lochaber,[83] not to mention temporary holdings of the earldoms of Menteith and Angus[84] in the thirteenth century. Moreover, William Comyn became the first non-native, i.e. non-Gaelic, earl of Scotland in 1212 after marrying the daughter and heiress of Fergus, earl of Buchan. As Alan Young has pointed out, "by 1286 only five earldoms were in the hands of families of Anglo-Continental origin. It is a testimony to the deep-seated nature of the old Celtic earldoms that the Comyns—like later, the de Umphravilles in 1243 and the Bruces in 1272—gained the dignity only by marriage."[85] It is clear that this family, who held significant land in Scotland and were considered to be amongst the greatest magnates in the kingdom, also held the king's trust. Bower's chronicle informs us that around 1229-1230, Alexander named William Comyn warden of Moray because of his track-record of dealing with the rebels in that region.[86] The development of Comyn lordship in Scotland may be traced through the relations this Anglo-Norman family had with members of the native population. As such, they too

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[78] Hextilda was not only the daughter of Uhtred, lord of Tynedale, her mother was Bethoc, the daughter of Donald III ban, king of Scots (d. 1097).

[79] Alan Young. 'The Earls and Earldom of Buchan in the Thirteenth Century' in A. Grant and K. Stringer (eds.) *Medieval Scotland* (Edinburgh: University Press, 1993) p. 174. Comyn became the first non-native earl of Scotland after marrying Marjorie the daughter of Fergus, earl of Buchan in 1212.

[80] *Moray Reg.* 76; Alan Young, 'Noble Families and Political Factions in the Reign of Alexander III,' in Norman Reid (ed.) *Scotland in the Reign of Alexander III, 1249-1286.* (Edinburgh: John Donald Publishers, Ltd.) p. 4.

[81] *Ibid.*, See also Barrow, 'Badenoch and Strathspey, 1130-1312, 1: Secular and Political' in *Northern Scotland,* viii (1988) p. 6;

[82] *RRS*, ii, 430, 501; William I also granted Lenzie north of Glasgow to William Cumin for one knight's service, *RRS*, ii, 557

[83] Young, 'Noble Families' p. 4

[84] *Ibid.*

[85] Young, 'Buchan in the Thirteenth Century' p. 176.

represent the ethnic blending that was taking place in twelfth- and thirteenth-century Scotland. It is ironic that this successful baronial family who had strong connections to both native Scottish society and the Scottish royal family, disappeared almost completely from the Scottish landscape in the fourteenth century.

Before proceeding with a more detailed analysis of the granting of lands to incoming colonists, it would be beneficial to look at one of the most powerful native magnates, the earls of Fife. We may recall from the previous chapter that the only surviving sources of information on the inauguration of Alexander III are Fordun's account of the event, a seal depicting the event struck at Scone Abbey, and a fifteenth-century manuscript of Fordun's *Scotichronicon*. These sources reveal more than just the apparatus of mediaeval Scottish king-making ceremonies, they reveal those directly involved in the event. Fordun, undoubtedly aware of the important roles played by Alan Durward and Walter Comyn, Earl of Menteith, in the minority of the young king conflated two separate events: the argument between these two men over whether or not Alexander should be knighted prior to his investiture, and the actual inauguration ceremony. The only two lay officials who actively participated in the inauguration of the king were the earls of Fife and Strathearn, seen as the most senior members of Scottish nobility.[87] It is also possible that these two men represented the 'Gaelic' heritage of the Scots king. Fordun's account of the inauguration of Alexander II states that seven earls or *mormaers* of Scotland, representing the seven ancient provinces of the kingdom, escorted the "king's son, Alexander, a lad of sixteen years and a half; and bringing him as far as Scone, they raised him to the throne." Fife and Strathearn again top the list of these earls or *mormaers*. Having two key members of the old order of Scotland involved in major royal events was unquestionably a politically sound decision. Yet, it is also fair to see it as an example of continuity amidst all the changes taking place in Scotland during this period.

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[86] *Chronicle of Bower* (Watt), v, pp. 142-143. Bower states that this was a 'special emergency office'

[87] Fordun lists Fife and Strathearn, the bishops of St. Andrews and Dunkeld, the abbot of Scone, and the *ollamh rig Alban*—master poet of the king of Scotland as the active participants in the inauguration of Alexander III, *Fordun*, i, 293-294. John Bannerman argued that the depiction in the Scone Seal of the inauguration ceremony supports Fordun's inclusion of these earls by showing the heraldic shields of Fife and Strathearn flanking that of the royal device. See Bannerman, 'The King's Poet' pp. 124-125.

One of the greatest achievements of David I's reign, often unrecognized or only casually noticed, was the manner in which various members of Scotland's royal lines let go of their claims to the throne in exchange for land and influence. William fitz Duncan for example, the son of Duncan II, witnessed a number of charters and grants of David I and unlike his descendants was contented with his position in David's court and the lands he held of the king.[88] The earls of Fife, descended from king Dubh (d. 966), had, according to Fordun, been accorded the status of "first in the kingdom, after the king."[89] It is uncertain whether this was on account of their royal heritage or because they held the 'premier' position amongst the Scottish nobility.[90] Nonetheless, the earls of Fife proved to be ardent supporters of the Canmore line and their loyalty to the Crown and to Scotland remained steadfast.[91] Although, with the exception of Ferteth of Strathearn, the names of those earls involved in the so-called earl's revolt in 1160 are unknown, it is clear that Duncan of Fife and Cospatric of Dunbar remained faithful to Malcolm IV. It is striking that sometime around 1198 Gilbert, earl of Strathearn, granted in frank marriage to Malcolm, earl of Fife, "with his daughter Maud, Glendevon, Carnbo, Aldi, Fossoway, Dalkeith and Pitfar."[92] As Barrow has suggested, this grant should be taken in the context of Fife's unswerving loyalty to the Crown and Strathearn's questionable involvement in acts which were in the eyes of the Crown blatantly disloyal.[93] Matrimonial politics in twelfth- and thirteenth-century Scotland were not only pursued by incoming settlers looking to 'legitimize' their positions in Scotland; as the example above suggests, various members of native society intent on maintaining stability and loyalty within the kingdom also adopted this process.

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[88] McDonald, 'Treachery in the Remotest Parts of Scotland' pp. 14-15

[89] *Fordun*, i, 190-191

[90] John Bannerman, 'Macduff of Fife' in Grant & Stringer (eds.) *Medieval Scotland*, pp. 22-23. It is likely that their position as the leading noble family in Scotland derived from their royal heritage. Nonetheless, it is significant that their role in Scottish history was perceived amongst contemporaries to be non-regal.

[91] Between 1120-1153 Duncan I Earl of Fife attested no less than 36 grants and charters and another 16 between 1153-1165; During the reign of William I Duncan II and his son Malcolm attested over 140 charters and grants. Only during the reign of Malcolm IV were the earls of Fife second to another earl in number of charters attested. On this subject see R. Andrew McDonald. *Kings and Princes in Scotland: Aristocratic Interactions in the Anglo-Norman Era.* (University of Guelph, PhD Thesis, 1993) Appendix I, pp. 452-468.

[92] *PSAS*, LXXXVII, p. 61

[93] G. W. S. Barrow, 'The Earls of Fife in the Twelfth Century' p. 58

Apart from the prestige and power as one of Scotland's oldest and most noble families, the earls of Fife possessed substantial lands, primarily in eastern Scotland. As I mentioned above (p. 98, n. 58), the earldom of Fife in the reign of David I was, unlike Buchan and Mar, a non-compact scattering of fiefs. The charter of David I granting the earldom to Duncan in 1136 for 'specified service' has come down to us with only unspecific details.[94] A later grant to Earl Duncan I of Fife of the land of West Calder, Edinburghshire (Midlothian) sometime before 1153 specifies the terms by which he held this land, including knight-service.[95] The infeudation of a native magnate by David I is remarkable in that it demonstrates the introduction of a new political and military apparatus into Scotland not influenced by race or culture, but by the necessity of keeping Scotland in line with what was taking place over most of Western Europe. William I's confirmation of the grant of West Calder and Strathleven to Malcolm, son of Earl Duncan II of Fife, states that these lands were to be held "*sicut carta Regis David avi mei et mea testantur per servicium militum*—just as my own charter and that of King David my grandfather bear witness for knights-service."[96] Not only did the earls of Fife provide knight-service for their lands, but members of this family had by the mid-twelfth century also adopted the knightly title.[97] Apart from new titles and seemingly new obligations, the lands held by the earls of Fife and members of their family do not seem to have shifted or changed hands as frequently as other landholders. The land-holdings of the earls of Fife, and members of their family, were concentrated primarily in Fife, although they continued to hold lands in Forfar, Edinburghshire, Haddington and Linlithgow,[98] not to mention their significant lordships in Stratha'an (Strathaan) and Cromdale. [99]

Still, the scant record of landholdings prior to the twelfth century makes it difficult to ascertain the degree to which native landholders continued to hold the same lands of the Crown after the introduction of feudal customs and non-native settlers. While it is often tempting to see the transformation of the native mormaers into earls as

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[94] *RRS*, i, 63 reads 'King David I grants to Duncan I, earl of Fife, for certain specified service, the earldom of Fife.' Taken from Nat. MSS. Scotland, i, Pl. L.
[95] *RRS*, i, 86.
[96] *RRS*, ii, 472.
[97] Eggu, son of Hugh, son of Earl Gillemichel of Fife may have surrendered the lands at Strathleven to the Crown sometime before 1172. Regardless, this Eggu (Hugh?) had been referred to as a knight in previous charters. See Barrow, 'Earls of Fife' p. 55
[98] See Maps 1-3 as well as their keys.

being merely a title change rather than a substantive alteration of duties, prestige or land wealth, it is difficult to determine how accurate an analysis this would be.[100] With the transformation of the church, the government and a large portion of the upper level of society came a different court language. Royal and ecclesiastical documents formerly written in Gaelic Scots were now being written in Latin. The latinization of names, regions and titles during this period has caused substantial confusion amongst scholars who have had the difficult task of sorting out the political and, quite often, cultural landscape of twelfth-century Scotland. Obvious examples of this are the Latinized forms of 'Roland' for Lachlan, Lord of Galloway, and 'Gilbert' for Gille-brigde of Strathearn.[101] Even within Gaelic society political terms had begun to take on different meanings. Further difficulty arose in getting across the current accepted meaning of the word in its Latin form without necessarily adopting the specific meanings already attached to the Latin word. In Ireland, as well as parts of Scotland, the replacement of the Gaelic *ri* (king) with the Gaelic *taoiseach* (chief) underscored the fundamental change in the political hierarchy of the two countries. In Ireland, the continuation of a system of lesser kings (chiefs) governing territories held of a High King coincided with a shift occurring in Scotland where a singular monarchy with earls and lesser lords aiding in government came to dominate.[102] The oft-quoted *Song of Dermot and the Earl* contextualized this problem of linguistic changes forcing structural or meaning changes. As the *Song* relates "there are as many kings (Gaelic-*ri*) in Ireland, as there are earls (Latin-*comes*) elsewhere."[103] While there is little doubt that those who had been accorded the title *ri*, either in Ireland or Scotland, could claim royal status, the changing political landscape made it difficult for many to maintain such claims. As the Canmore dynasty in Scotland continued to follow an aggressive policy of consolidating their kingdom and their kingship, many families such as the earls of Fife, but also the earls (possible *ri*) of Moray and the more autonomous Lords (*reges*?) of Galloway, had to confront their fading royal status.

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[99] *Moray Reg.* 50, 62-63. See also Map 3
[100] The earls of Lennox for example were often referred to as *Mormaers* up until the fifteenth century.
[101] See below p. 120, n. 125.
[102] Robin Frame, *Political Development of the British Isles*, pp. 98-115.
[103] Cited in Frame, *Political Development*, p. 98.

Nevertheless, intrusion into Scottish politics and foreign colonization accompanied by native displacement does not seem to have been the policy of Scottish kings from David I to William I, especially concerning the major lordships. For the most part, at least prior to 1165, Scottish kings enfeoffed non-native, or Anglo-Norman, settlers in areas south of the Forth, predominantly in areas known to have had a significant Anglian or Northumbrian settlement already in place.[104] The extension of lands to lesser lords during this same period followed the pattern set out in the enfeoffment of larger lordships. Again settlement predominated in southern Scotland, in the Lothians, Roxburghshire, Berwickshire, and in the west in Ayrshire, Dumfriesshire, Renfrewshire and Lanarkshire and only gradually proceeded into central and northern Scotland. The three Maps included in this chapter show that Crown grants followed a distinct path, beginning in David's reign in primarily the southern half of the kingdom and by William's reign progressing north and westward. It is clear from the source materials that as kings of Scots began to perceive their kingdom in its fullest extent, which included areas such as Moray and Galloway, they began to parcel out lands in these areas to various loyal subjects. More importantly, native magnates as well as new-comers began to infeudate others in their own lands furthering the process initiated by the Crown. It is telling that only when confronted with rebellion did a forced colonization of the unsecured or unstable territories occur.

The pattern of land-ownership in Scotland implemented by the Scottish Crown between 1124 and 1214 roughly followed the Highland / Lowland line with the majority of land grants occurring in Lowland Scotland. Already by Fordun's time (late fourteenth century) a clear distinction was being made between the two regions. Fordun writes:

> The people of the coast are of domestic and civilized habits, trusty, patient, and urbane, decent in their attire, affable, and peaceful, devout in Divine worship, yet always prone to resist a wrong at the hand of their enemies. The highlanders (*Scoti montani*) and people of the islands, on the other hand, are a savage and untamed people, rude and independent, given to rapine, ease-loving, of a docile and warm disposition, comely in person, but unsightly in dress, hostile to the English people and language, and owing to diversity of speech, even to their own nation, and exceedingly

[104] On this see D. P. Kirby. 'Strathclyde and Cumbria: A survey of historical development to 1092' *TCWAAS* Vol. LXII (1962) 77-94; Also Daphne Brooke 'The Northumbrian Settlements in Galloway and Carrick: An Historical Assessment' *PSAS* CXXI (1991), 295-327; Barrow, *Kingship and Unity*, pp. 1-22.

> cruel. They are however, faithful and obedient to their king and country, and easily made to submit to law, if properly governed.[105]

If, as Fordun and other sources suggest, Gaelic language and culture distinguished this north-northwest region from the rest of Scotland, it would appear that very little Celtic displacement took place as a result of the settlement of Anglo-Norman colonists in Scotland by Scottish kings. This is supported by the fact that the majority of land granted out by the Crown to these settlers lay to the other side of the Highland line. The fact that a large Anglian and Northumbrian population had already settled in these territories adds further merit to the idea that little or no Celtic, i.e. 'native', displacement resulted from these grants of land.

The seemingly small portions of land, with the exception of the greater lordships, parceled out by kings of Scots may reflect a shortage in land.[106] The circumstances by which Scottish kings found themselves having to postpone granting lands to 'newcomers' because others were either already in possession of the intended lands or there were no new lands to be given are not always known. We do know with some certainty that the *mormaers* and *thanes* continued holding their lands as they stood prior to the introduction of feudal custom into Scotland, and that a change occurred only in the terms by which they held their land.[107] There is no reason to believe that these same kings of Scots expected minor land-holders, the freeholders and possibly 'freemen', to relinquish their lands or to hold them differently of the Crown. However, the lack of information on the Highlands in the Middle Ages and the relatively few native accounts of Gaelic Scotland makes it difficult to determine the level of continuity and change taking place in terms of land holdings in these regions. Prior to the mid-1170s there is little record of events in Moray and areas lining the Western coast of Scotland.[108] In spite of this, the pattern of land settlement that developed under David I, Malcolm IV and William I seems to correspond with the perceived boundaries of the kingdoms of these Scottish kings. These

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[105] *Fordun*, I, 38. John Bannerman argued that on account of the highland line coming within seven miles of the parish of Fordoun it is likely that John of Fordun and other inhabitants of this region saw all Gaelic speakers as *Scoti montani*.

[106] A certain Robert de Aubein was given twenty merks yearly on account of his having to wait for lands in Coldingham 'until he [William I] shall have granted to Robert 20 merks of land besouth Forth or between Forth and the Mounth.' *RRS*, ii, 514.

[107] R. F. Callander. *A Pattern of Landownership in Scotland.* (Finzean, Aberdeenshire: Haughend Publications, 1987) pp. 16-32.

[108] Barrow, 'Macbeth and other Mormaers of Moray' p. 113.

boundaries became more firmly recognized in large part by the granting of lands to families willing to support and extend royal influence and royal administration to every part of the kingdom.

We need to bear in mind that the grants to which I am referring to in this chapter are solely Crown grants of land, i.e. lands granted out by the king and for the most part without intermediary landlords, and only those whose charters have managed to survive and have found their way into print. From these sources it appears that there were three distinct phases in the granting of lands before 1214 corresponding to the reigns of David, Malcolm IV and William I. The majority (at least ninety-three per cent) of all surviving Crown grants of land under David I are concentrated in the southern regions of Scotland, in Ayrshire, Berwickshire, the Lothians, Lanarkshire, Renfrewshire and Roxburghshire, but also include the grant of the earldom of Fife.[109] The only area outside of southern Scotland that David I granted land in was the area surrounding Duffus in Elginshire granted out to a single family of Flemish background.[110] The relatively few grants of land during the short reign of Malcolm IV follow closely the pattern established by his grandfather. Again, these lands were mainly concentrated in south-south west Scotland, although Malcolm IV did also grant a small number of lands benorth the Forth, in Perthshire, Forfar and Elginshire.[111] It is only during the reign of William I that we see the Crown granting substantial lands benorth Forth in Aberdeenshire, Kincardineshire, Perthshire, Inverness-shire and Banffshire.[112] It is significant that the change in the charter address of William I to *"omnibus probis hominibus suis totius terre sue*—all his good men of his entire land"[113] roughly coincided with an increased portioning of lands to many families throughout the *entire* kingdom. As Scottish kings began to further consolidate the boundaries and extend the borders of the kingdom of the Scots, the families living within these boundaries began to more firmly establish their place in Scottish society, forming ties with both the land, its governance and its many cultures. It is perhaps on account of this that by the end of the twelfth century and the start of the

[109] See Map 1 at the centre of this chapter with its corresponding key appended at the end of this chapter.
[110] David granted this territory to Freskin the Fleming sometime after 1130, most likely in response to the uprising that had taken place in Moray *c.* 1130. *RRS*, i,
[111] See Map 2 at the centre of this chapter with its corresponding key appended at the end of this chapter.
[112] See Map 3 at the centre of this chapter with its corresponding key appended at the end of this chapter.
[113] See above Chapter One, pp. 46-50

thirteenth, that we see both Gaelic and non-Gaelic Scots defending the liberties of the Crown and the Scottish people.[114]

Still, the lands granted out by all three kings predominantly lay on the eastern side of the Highland line. This ultimately had an influence on the increasingly visible regional differences in culture and language. But, the fact that all three kings extended lands to the west of this line and introduced royal administration to these parts suggests that they saw these territories as part of the Scottish kingdom. It may be on account of few surviving records that we know little of the land settlement in Argyle and western Scotland during this period. It may also be that Scottish kings saw no need to displace the native settlements in these regions by introducing so-called newcomers into these lands. This seems all the more likely when we consider that almost all of Scotland's fertile lands, suitable for grazing, but more importantly for crop production, lie in the southern and eastern regions of the country. The understanding of the value of rich fertile lands as a source of influence, wealth and power may be the most significant bit of nurturing Scottish kings received from their time spent at the English court.

Having looked at the greater lordships and the more recognizable grants of territories under twelfth-century Scottish kings, we may turn now to the enfeoffment of the lesser landholders and royal servants in Scottish lands. In viewing the mediaeval Scottish landscape there is no reason to take the term 'lesser' to imply a weaker commitment by the landholder to the Crown or the country. We know that a number of the 'great' magnates, native and newcomer alike, gradually began to extend portions of their own lands to followers or household administrators, thus infeudating an even larger section of the Scottish population. One of the best examples of this is Baldwin of Biggar's holdings in Houston and Inverkip in northern Renfrewshire of Walter Fitz Alan.[115] We might be remiss to consider Baldwin a 'lesser' landholder in that his holdings included the lordship of Biggar in Lanarkshire and his jurisdiction probably covered Clydeside almost in its entirety,[116] yet despite his position as Sheriff of Lanark he was a relatively minor royal official. Still, even this minor official had influence

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[114] In the first quarter of the thirteenth century a native magnate, Ferchar Maccintsacairt, and a 'newcomer' (if this term still applies three or four generations later) Walter Comyn, put down two separate rebellions in Moray.
[115] *RRS*, i, p. 47.

enough to attract followers. The town of 'Hugh' or 'Hugh's toun' (Houston) took its name from one such follower, Hugh of Pettinain, whose lands most likely reverted back to Baldwin soon after his death.[117] Baldwin's stepson John, lent his name to Crawford John a town directly west of Abington in Lanarkshire and somewhere around sixteen kilometres from Biggar. The eponymous founders of Wiston, Roberton, Symington and Thankerton all in Lanarkshire within the vicinity of Biggar and Crawford John were most likely part of Baldwin's predominantly Flemish retinue, introduced by the Sheriff of Lanark and enfeoffed by Malcolm IV in the areas which later took their names.[118]

An interesting charter from the reign of Alexander II provides some information on a family of cooks who held land of the Crown in Fife for their service to the kings of Scotland.

> King David I grants half of 'Peddunin' (? Pitdinnie, in Carnock, Fife) to —, grandfather of Ivo, cook of King Alexander II, son of Nigel, cook (of King William I).[119]

We may assume on the basis of this charter that the family had continued to hold this property in Fife from David's reign well into that of Alexander II. Without having knowledge of the name of David's cook it is difficult to determine the background of this family. The Gaelic Christian name Neil was often translated into the Latin *Nigellus* or Nigel.[120] The name Ivo, however, is more commonly found on the Continent suggesting a possible Continental origin for this family. The alternative to this is that through the interactions of many native and non-native members of the king's household, both Gaelic and non-Gaelic names were gradually introduced into families where they had previously not existed. For example, the youngest son of Hugh de Moreville, Constable of Scotland, bore the name Malcolm, perhaps in honour of David's father, Malcolm III. As the thirteenth century approached, it became more and more difficult to determine on the basis of first or Christian names someone's ethnic background. Those families who

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[116] *Ibid.*; Barrow, *Anglo-Norman Era*, p. 38

[117] The circumstance by which the lands of Houston formerly belonging to Hugh of Pettinain reverted back to Baldwin are unclear. This is however a good example of the complex land-holding system that was already in place by the mid-twelfth century. See Duncan, *Making of the Kingdom*, p. 140.

[118] *Ibid.*, p. 137; See also Maps 1 & 3.

[119] *RRS*, i, 101

[120] For other examples of the name Neil being translated into the Latin *Nigellus*, see W. D. H. Sellar, 'The Earliest Campbells: Norman, Briton or Gael?' *Scottish Studies* Vol. 17 (1973), 109-125, p. 111. The name of one of the sons (or grandsons?) of Earl Gillemichel of Fife, *Eggu* was frequently translated into *Hugone (is)*, Hugh or Hugo. See for instance *RRS*, ii, 85.

through continuous habitation within the realm and increased interaction with its various peoples were able to identify themselves with Scotland or at least the Scottish kingdom helped to bridge 'racial' diversity and ultimately create Scottish nationality. In regions with fewer opportunities for the intermingling of culture, language and custom this process took significantly more time. Nonetheless, even in these regions this process had already begun to take root in the reign of David I.

Other notable grants of land to members of the kings' household include the grant made by David I of two ploughgates in Newbattle (later Masterton) to Master Robert the Ironsmith before 1140 'for his service.'[121] We should also note a grant, possibly of Malcolm IV, of a 'part of Manor' in Peebleshire to one Norman the Hunter.[122] While this relatively minor grant would not have normally garnered much notice from contemporaries, or later scholars for that matter, its peculiar history has made it otherwise. Sir John Skene, Lord Clerk Register from 1594-1604 inserted into his MS. Notebook a 'copie of the Lard of Polmodis orginall charter within Yarrow' a rhyming verse charter which begins "heir I Williame king the thrid yeir of my regne, Gevis to the Normond Hunter."[123] Later versions of this charter claim that the grant was not from Malcolm IV's reign but from the reign of Malcolm III.[124] Only by conjecture can we place this grant in the time of Malcolm IV's reign.[125] Nonetheless, it is tempting to associate this 'Normond' (Norman?) hunter with the thoroughly Scottish family of Hunter of Palmood.

William I matched his grandfather's generosity by granting lands to his baker, brewer and falconer. To Ailif, the king's baker, William granted "the whole land which Reginald, janitor (*ianitor*) of Edinburgh castle, held of the king in Inverleith, to be held heritably for personal service."[126] The size of this plot of land is difficult to ascertain. Barrow notes that Reginald, janitor of Edinburgh castle, was a relatively important figure in the daily workings of the royal castle and we may assume that his reward matched his

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[121] *RRS*, i, 69.
[122] *RRS*, i, 298.
[123] Skene, *Notebook*, p. 234.
[124] See *RRS*, i, pp. 83-84. Barrow notes two later versions of this rhyming charter, one by Alexander Penicuik, in his *Description of Tweeddale c.* 1715, and the other by Buchan and Paton, *History of Peebles-shire* (1927)
[125] *RRS*, i, pp. 83-84
[126] *RRS*, ii, 174. William confirmed these lands to Nicholas, Ailif's son in 1211. *RRS*, ii, 510.

service.[127] Walkelin, the king's brewer received the lands of Inverpeffer in Angus (Forfarshire) for his service.[128] The grant to Ranulf the falconer, stands apart from the previous grants to members of the royal household on account of both the largesse shown by William I to Ranulf and for the service rendered in exchange. By this grant Ranulf gained 'Kingower' in Gowrie, and five davochs of land in Mearns for 'personal service' and / or 'the service of one archer in the army.'[129] This is the only example I have found of a minor household member providing military service in exchange for lands held of the Crown. The notable Scottish family of Falconer of Haulkerton, (Laurencekirk, Mearns) were descended from this Ranulf the king's falconer, eldest son of Walter of Lautorp (Lowthorpe, Yorkshire?)

The grants of land in Elginshire to Freskin the Fleming and his heirs stand out as one of the earliest grants benorth the Forth prior to the reign of William I. Moreover, they are one of the only grants on the western side of the Highland line to a non-native family in the twelfth century. The only surviving record of this grant is a confirmation to Freskin's son William by William I dating from the beginning of his reign.[130] By this grant the family of Freskin the Fleming, which took the notable Scottish surname of '*de Moravia*,' '*Moray*' (Murray), gained the lands of Strathbrock (Uphall) in West Lothian (Edinburgh-Linlithgow), Roseisle, Inchkeil, Duffus (Elginshire) and Kintrae (in Spynie) and the unidentified lands of 'Machar' most likely in Duffus or Spynie. It is likely that the original grant of these lands followed closely the rebellion and death of the native earl of Moray, Angus, in 1130. It is also likely that similar rebellions inspired similar actions. As such, Moray may be one region under the control of kings of Scots that experienced a 'conquest' or forced colonization. Even here we must proceed cautiously with such an analysis. The oft-quoted statement in the *Chronicle of Holyrood*, '*rex Malcolmus Mureviensis transtulit*' has raised serious queries about the possibility of a forced movement of the native Moravian population out of Moray.[131] Fordun's embellishment

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[127] *RRS*, ii, p. 55. Barrow incorrectly notes the mention of this Reginald in *RRS*, ii, 28 who is absent from this confirmation of charters of various landholders.
[128] *RRS*, ii, 209.
[129] *RRS*, ii, 497; See also Map 3
[130] *RRS*, ii, 116. "*quam Freskin pater suus tenuit tempore Regis Dauid aui mei*—which Freskin, his father, held in the time of King David my grandfather."
[131] See for instance Duncan, *Making of the Kingdom*, p. 191; McDonald, 'Treachery in the Remotest Territories of Scotland' pp. 3-4

of this statement offers little help in clarifying what actually took place, and is perhaps more of a hindrance. Fordun emphatically stated that Malcolm "removed them [the Moravians] from the land of their birth....and scattered them throughout the other districts of Scotland...so that not even one native of that land abode there; and he installed therein his own peaceful people."[132] While we can be certain that Malcolm IV followed his grandfather's policy by granting Berowald the Fleming lands in Moray (Elginshire), we cannot be certain that any significant displacement resulted from Malcolm's actions. The Latin verb *transfero* used in this manner has many possible meanings, including possibly the destruction or defeat of the army of Moray. It may be that the line in the Holyrood chronicle refers to an occasion where Malcolm IV's forces put down an insurrection in Moray. We may then read the statement as 'King Malcolm routed the men [or army] of Moray.'[133] Nonetheless, the grant of Innes and Nether Urquhart in Elginshire and a 'toft' in the burgh of Elgin to Berowald for the service of 'one knight in Elgin castle' is the first instance where castle ward is explicitly demanded in a grant of land, undoubtedly because the king needed someone loyal to the Crown to help control the region.[134]

The descendants of Freskin branched off to form the 'de Dufglas' or Douglas family and the already mentioned Murray family. These families controlled various parts which made up the earldom of Moray. The Murray family for example had by the first half of the thirteenth century in their possession the lands of 'Buchromb', Arndilly, Aikenway, 'Adthelnachorth', Botriphnie, Abelour and Kinermony in the lower Spey Valley.[135] They also controlled the coastal plains of Inverness and most of Strathairn including the later barony of Kerdale.[136] The other branch of this family settled in the area of Douglasdale, taking the surname Douglas. In both cases the land had as much of an impact on the family as the family had on the land. By the middle of the thirteenth century the Moray family were in possession or had control over the earldom of Sutherland, the Lordships of Duffus and Petty near Inverness, and continued to hold

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[132] *Fordun*, ii, pp. 251-252.
[133] Similar to the king's army or the 'army of Scotland', each earldom contained the earl's army or 'army of Fife,' 'of Strathearn,' 'of Moray,' et cetera.
[134] *RRS*, i, 175; Ritchie, *The Normans in Scotland*, p. 377
[135] *Moray Reg.* Nos., 23, 31, 33, 41, 108. See also Barrow, 'Badenoch and Strathspey', pp. 3.
[136] Barrow, 'Badenoch and Strathspey.' P. 3

substantial lands in Strathspey.[137] The father of the Andrew Murray who was the companion of William Wallace and Scottish patriot in the wars of independence, was Andrew Moray Lord of Petty and Justitiar of Scotia, his own father being Walter Murray, Lord of Bothwell and Justitiar of Lothian.[138]

Despite the vast lordships held by the descendants of Freskin the Fleming in parts of Moray, it is hard to tell whether the granting of these lands caused any significant displacement. The grants effected mostly those descended of the *mormaers* or earls of Moray who aggressively attempted to regain their former holdings. Outside of this region, the native *mormaers* were successful in maintaining their holdings.[139] Malcolm MacHeth, a leader in the Moray rebellion during the reign of David I managed not only his release from imprisonment in Roxburgh castle, but also gained the earldom of Ross from Malcolm IV.[140] Despite, MacHeth's previous involvement in the Moray rebellion the king of Scots rather than introducing a 'newcomer' into the region granted the earldom to a native member of society. Following further MacHeth involvement in rebellions against the Crown, another native landholder, Ferchar Maccintsaçairt received the earldom of Ross for the service he performed in putting down the rebellion in Moray in 1212. Not until the reign of Robert I, did a non-native, i.e. non- Gaelic, landholder receive an earldom in Moray.[141] By this time, Robert I most likely believed he was placing a native Scot into a native Scottish earldom.

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The introduction of Continental and Anglian families into Scotland during the reigns of David I, Malcolm IV and William I contributed to the development of Scottish nationality, furthered the consolidation and expansion of the kingdom, and provided

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[137] For more on this family's influence in Northern Scotland in the thirteenth century see Young, 'Noble Families' p. 15.

[138] On these Murrays holding the position of Justitiar in Scotia and Lothian see Barrow, *Kingdom of the Scots*, pp. 132-133.

[139] Ritchie argued that 'In Celtic Scotland nobility by office (Mormaers, Thanes, toisechs) had developed into nobility by birth. In theory the passage from Celtic chief to Norman feudal lord was simple....a mere matter of arrangement between the head of the clan and the king; the clansmen would follow their chief, and when the change did at length take place it is doubtful if they suffered by it.' *Normans in Scotland*, p. 239. See also *RRS*, i, 179.

[140] See Map 2. *RRS*, i, 179 The creation of this northern earldom was perhaps the beginning of the dismemberment of the Scottish province. See McDonald 'Treachery in the Remotest Territories of Scotland.' P. 12

some of the most famous Scottish names on record. While it is impossible to include every name mentioned in the records of this period,[142] from those given it should be clear that both Gaelic and non Gaelic members of Scottish society stamped their cultural and ethnic heritage on the Scottish kingdom during the Middle Ages. As such, the hybrid kingdom of the Scots developed into something of an early melting-pot 'nation.' The ability to identify with both the country and the people, as Gillebrigde Albannach could in his poetry, Fordun in his chronicle or as Sir William Oliphant, Sir Alexander Seton, Sir Thomas Hay and Sir Neil Campbell did in their efforts to maintain the liberties of the *nacio Scottorum*, was in stride with an emerging Scottish identity. The efforts of later kings such as Alexander II (d. 1244) and Alexander III (d. 1286) to more firmly attach the outer isles and the Lordship of Galloway to the Scottish core saw the emergence of a larger, more united Scottish kingdom which closely resembled the boundaries of modern-day Scotland. But there is no doubting that the roots of this creation were already established in the reign of David I. There is also no reason to see Scotland as fragmented and disunified on the basis that it took nearly one hundred years from David's reign to bind Galloway more firmly to the Scottish kingdom and longer for all of the outer isles to fall under the control of the Scottish Crown.

The kingdom of the Scots between the accession of David I and the death of William I saw the introduction of a number of non-Gaelic families into Scotland. Whether this constituted a conquest or a forced colonization is still uncertain. The fact that the majority of grants issued by Scottish kings during this period were for lands south and east of the significant Gaelic population residing in the northern and western regions of the kingdom suggest that very little Celtic displacement occurred. The levels of native displacement in Lothian and southern Scotland occurring as a result of new land grants to incoming settlers is equally difficult to determine. Of the surviving grants only a handful specifically mention a change in ownership, almost always without explanation of why the changes occurred.[143] A charter of William I 'informs' the local authorities in

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[141] Robert I granted the earldom of Moray to Thomas Randolph in 1312. See Barrow, *Kingdom of the Scots*, p. 383.

[142] See Maps and their keys for a more-complete listing of land-holdings under David I, Malcolm IV, William I and Alexander II.

[143] See *RRS*, ii, 48, 74, 85, 91, 97, 101, 174, 268, 302, 311, 418, 469, 486. Nos. 48 & 85 relate to the lands held of the Crown by a certain Gamel which the king regranted to Hugh Gifford. It appears that Gamel

Berwick of a grant to Melrose Abbey of the property of William Lunnok near Briggate on account of Lunnok "having surrendered his house, land and service to the king."[144] While no explanation is offered as to why Lunnok 'surrendered' his property and service to the Crown, it was most likely on account of financial difficulties.[145]

The pattern land settlement took during the reigns of David I and William I roughly coincided with the consolidation of the recognized boundaries of their kingdoms. After Henry II had firmly established the Anglo-Scottish border along the Solway-Tweed line,[146] Scottish kings began to look westward to expand the kingdom and north to consolidate their claims to Moray and Caithness. The gradual introduction of non-native landholders into these regions generally followed the pattern established by David I, Malcolm IV and William in central and southern Scotland. We cannot be entirely certain of how these grants of land affected the general population in any of the major regions of Scotland. Nevertheless, it appears that most of these grants were primarily concerned with *how* lands were to be held. With native magnates such as the earls of Fife and Strathearn providing knight's service for their territories, it would appear that at least for the higher ranking landholders, the shift from Celtic tribal land-holding to feudal tenure was a relatively minor step.[147] Furthermore, those who previously held lands of local native magnates, the *thanes* and *mormaers* would have had little difficulty maintaining their holdings. Again, the only difference may have been in *how* they held these lands and what services were required. If we take the Bruce earls of Carrick as an example, it seems likely that the impact the local culture in Carrick had on its 'great lord' was more significant than any impact the 'great lord' would have had on the local culture.[148] It is clear that over a period of roughly ninety years, many of the families first introduced to Scotland by David I, as well as those by Malcolm IV and William I, contributed to the

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held these lands only for his lifetime and the lifetime of his son, Edolf, after which they reverted to the Crown. Nos. 74, 91, 97 & 101 were given to ecclesiastical centres.

[144] *RRS*, ii, 97

[145] A second charter transfers Lunnok's property and service to Melrose Abbey 'so that he may serve the abbey as he previously served the king.' This is likely a case of indenture. *RRS*, ii, 98.

[146] Although an actual border treaty was not signed between the two kingdoms until 1237, both sides recognized this border from at least 1156.

[147] Even in Galloway the native Lords had little difficulty providing castle-ward or knight's service for lands held of the Scottish Crown. See Oram, 'A Family Business? Colonisation and Settlement in Twelfth- and Thirteenth-century Galloway' pp. 126-135.

[148] For example, it is fairly certain that Robert Bruce, earl of Carrick became fluent in the Gaelic speech native to this region. See Fiona Watson, *Under The Hammer*, p. 35, n. 28. See also above, p. 8, n.28.

development of Scottish nationhood. Moreover, as members of the Scottish community, they contributed to the preservation and strengthening of the freedoms and liberties of the mediaeval Scottish nation.

MAP 1 (KEY)
David I
Crown Settlement in Scotland 1124-1153

County & Land	Feudatory	Reign
A Aberdeen		
B Argyll		
C Ayr		
1. Ayrshire, Middle of (later)	Walter son of Alan I	David I
2. Cunningham, Ayrshire	Hugh de Moreville[1]	David I
3. Fishery at mouth of Ayr	Walter son of Alan I	David I
4. Kyle, N. W. Part of	Walter son of Alan I[2]	David I
5. Mauchline, Ayrshire	Walter son of Alan I	David I
6. Symington, Ayrshire	Simon Locard	David I
D Banff		
E Berwick		
7. Birkenside, Berwickshire	Walter son of Alan I	David I
8. Dryburgh, Merton, Berwickshire	Hugh de Moreville	David I
9. Lauderdale, Berwickshire	Hugh de Moreville	David I
10. Legerwood, Berwickshire	Walter son of Alan I	David I
11. Merton, Berwickshire	Hugh de Moreville	David I
12. Nenthorn, Berwickshire	Hugh de Moreville	David I
13. Newton Don, in Nenthorn Berwickshire	Hugh de Moreville	David I
14. Swinton, Berwickshire	Ernulf	David I
F Bute & Arran		
G Clackmannan		
H Dumbarton		
I Dumfries		
15. Annandale, Dumfriesshire	Robert de Brus	David I
16. Eskdale (Beside Bruce Honour), Dumfriesshire	Robert Avenel	David I
J Edinburgh (Midlothian)		
17. Cranston, (Midlothian)	Gervaise Riddel	David I
18. Gilmerton, (Midlothian)	Randulph de Soules	David I
19. Leny, Cramond, (Midlothian)	Gregory, Bishop of Dunkeld	David I
20. Newbattle (Masterton), (Midlothian)	Master Robert the Ironsmith	David I
21. West Calder, (Midlothian)	Earl Duncan I Fife	David I

[1] Northern most 1/3 of Cunningham
[2] Between the Rivers Ayr and Irvine

K Edinburgh—Haddington (East Lothian)

22. Athelstaneford, (East Lothian)	Alexander de St. Martin	David I
23. Drem (East Lothian)	Earl Cospatric of Dunbar	David I
24. Dunbar, (East Lothian)	Earl Cospatric	David I
25. Innerwick, (East Lothian)	Walter son of Alan I	David I
26. Saltoun, (East Lothian)	Hugh de Moreville	David I
27. Stenton, (East Lothian)	Walter son of Alan I	David I

L Edinburgh—Linlithgow (West Lothian)

28. Kinneil (W. Lothian)	Herbert the Chamberlain	David I
29. Strathbrock, Uphall, (W. Lothian)	Freskin the Fleming	David I
30. 'Lands in West Lothian'[3]	Geoffrey de Melville	David I

M Elgin

31. Duffus, Moray	Freskin the Fleming	David I
32. Inchkeil, Duffus, Moray	Freskin the Fleming	David I
33. Machar (Burgh-head-lind Duffus), Moray	Freskin the Fleming	David I
34. Roseilse in Duffus, Moray	Freskin the Fleming	David I
35. Kintrae in Spynie, Moray	Freskin the Fleming	David I

N Fife

36. Donibristle, Fife	Gregory, Bishop of Dunkeld	David I
37. Earldom of Fife	Earl Duncan I Fife	David I
38. 'Ecclesmaline' in Tyrie in Kinghorn, Fife	Gregory, Bishop of Dunkeld	David I
39. Incholm, (Aberdour, Fife)	Gregory, Bishop of Dunkeld	David I
40. Innerkynglasin, (Unid. Kinglassie? Fife)	Gregory, Bishop of Dunkeld	David I
41. Kennoway, Fife	Merleswam[4]	David I
42. Nether Cockairnie, Fife[5]	Gregory, Bishop of Dunkeld	David I
43. Peddunin in Carnock, Fife	?[6]	David I
44. Tellin (in Aberdour?), Fife	Gregory, Bishop of Dunkeld	David I

O Forfar

P Invernesss

Q Kincardine

R Kirkcudbright

S Lanark

45. Bothwell, Lanarkshire	David Olifard	David I
46. Cathcart, Lanarkshire	Walter son of Alan I	David I
47. Crawford John, Lanarkshire	John, stepson of Baldwin	David I
48. Libberton, Lanarkshire	William de Somerville	David I
49. Roberton, Lanarkshire	Robert	David I
50. Thankerton, Lanarkshire[7]	Thancard	David I

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[3] The whereabouts of these lands are unknown.
[4] 'Land in'
[5] The whereabouts of these lands are unknown.
[6] A Grant to —?, grandfather of Ivo 'Alexander II's cook' and father of Nigel 'the king's [William I?] cook'
[7] The land between the Auchter Water and the South Calder Water with part in Cambusnethan & Carluke parishes

51. Wiston, Lanarkshire	Wice	David I
I Nairn		
L Peebles		
52. West Linton, Peebleshire	Richard Comyn	David I
N Perth		
53. Abernethy, Perthshire	Orm son of Hugh[8]	David I
54. Rossie (Carse of Gowrie), abthain' of	Matthew, Archd. of St Andrews	David I
W Renfrew		
55. Eaglesham, Renfrewshire	Walter son of Alan I	David I
56. Houston, Renfrewshire	Walter son of Alan I[9]	David I
57. Houston, Renfrewshire	Baldwin of Biggar (Lanark)[10]	David I
58. Lochwinnoch, Renfrewshire	Walter son of Alan I	David I
59. Mearns, Kincardineshire	Walter son of Alan I	David I
60. Paisley, Renfrewshire	Walter son of Alan I	David I
61. Pollock, Renfrewshire	Walter son of Alan I	David I
62. Renfrew	Walter son of Alan I	David I
63. Strathgryfe, Renfrewshire	Walter son of Alan I	David I
X Ross		
Y Roxburgh		
64. Chatto (in Hownam), Roxburghshire	Walter of Ryedale	David I
65. Hassendean, Hawick, Roxburghshire	Walter son of Alan I	David I
66. Liddesdale, Dumfriesshire & Roxburghshire	Randolph de Soules	David I
67. Lilliesleaf, Roxburghshire	Walter of Ryedale	David I
68. Linton, Roxburghshire	William de Somerville	David I
69. Molle (Mow), Roxburghshire	Walter son of Alan I	David I
70. Oxnam, Roxburghshire	Geoffrey de Perci	David I
71. St Boswells	Hugh de Moreville	David I
72. Whitton, Roxburghshire	Walter of Ryedale	David I
Z Selkirk		
AA Stirling		
BB Wigtown		
CC Kinross		

[8] Abbey of Abernethy
[9] Walter son of Alan infeudated Balwin of Biggar in Houston who then infeudated Hugh son of Pettinain from whom 'Hugh's ton'
[10] Held this land of Walter FitzAlan

MAP 2 (KEY)
Malcolm IV
Crown Settlement in Scotland 1153-1165

County & Land	Feudatory	Reign
A Aberdeen		
B Argyll		
C Ayr		
D Banff		
E Berwick		
1. Briggate (Berwickshire)	William Lunnock	Malcolm IV
F Bute & Arran		
G Clackmannan		
H Dumbarton		
I Dumfries		
J Edinburgh		
2. Kirknewton (Midlothian)	Alfwin the *rannaire*	Malcolm IV
3. Leadburn in Pencuik, Midlothian	Geoffrey de Melville	Malcolm IV
4. Liberton, Midlothian	Geoffrey de Melville[1]	Malcolm IV
5. Mid Calder, Midlothian	Ralph de Clere	Malcolm IV
K Edinburgh—Haddington		
6. Innerwick, East Lothian	Robert Avenel[2]	Malcolm IV?
7. Muir of Haddington	Hugh Gifford	Malcolm IV
8. Yester, E. Lothian	Hugh Gifford	Malcolm IV
L Edinburgh—Linlithgow		
9. Bo'Ness, W. Lothian	Berowald the Fleming	Malcolm IV
10. Borrowston W. Lothian	Hugh Gifford[3]	Malcolm IV
11. Auld Cathie (Kirkliston) W. Lothian	Hugh Gifford	Malcolm IV
M Elgin		
12. Innes, Urquhart,	Beorwald the Fleming	Malcolm IV
13. Nether Urquhart,	Beorwald the Fleming	Malcolm IV

[1] 'Land which Malbeth held in Liberton'
[2] Malcolm IV confirmed a grant from David I to Walter son of Alan I for Innerwick *c.* 1161
[3] Held of Herbert the Chamberlain

N Fife

14. Balbirnie in Markinch, Fife	Orm son of Hugh	Malcolm IV
15. Dunduff, Dunfermline, Fife	Ralph Freebern	Malcolm IV
16. Falkland, Fife	Earl Duncan I Fife	Malcolm IV
17. Kedlock (Fife)	Simon son of Michael	Malcolm IV
18. King's Kettle	Earl Duncan I Fife[4]	Malcolm IV
19. Lundin in Fife	Philip the Chamberlain	Malcolm IV
20. Rathillet, Fife	Earl Duncan I Fife	Malcolm IV
21. Rosyth, Fife	Ralph Freebern	Malcolm IV
22. Strathmiglo	Earl Duncan I Fife	Malcolm IV

O Forfar

23. Dunlappie, Angus	Orm son of Hugh	Malcolm IV

P Invernesss

Q Kincardine

R Kirkcudbright

S Lanark

24. Cambusnethan, Lanarkshire	Ralph de Clere	Malcolm IV
25. Earnock, Hamilton, Lanarkshire	Robert (the Fleming?)[5]	Malcolm IV

T Nairn

U Peebles

26. Manor, Peeblesshire	Norman the Hunter	Malcolm IV

V Perth

27. Perth, burgh of	Baldwin the Lorimer[6]	Malcolm IV
28. Strathbraan, Perthshire	Earl Duncan I Fife	Malcolm IV

W Renfrew

N Ross

29. Earldom of Ross	Malcolm MacHeth	Malcolm IV

Y Roxburgh

30. Ednam, Roxburghshire	William son of Nigel[7]	Malcolm IV
31. Ednam, Roxburghshire	Gregory de Melville[8]	Malcolm IV
32. Hadden, Roxburghshire	Bernard son of Brian	Malcolm IV
33. Heiton (Roxburghshire)	Alan de Perci	Malcolm IV
34. Hunedun (Hownam Grange, Roxburghshire)	John son of Orm	Malcolm IV
35. Sprouston, Roxburghshire	Serlo the Clerk	Malcolm IV

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[4] Whole Ferm
[5] Brother of Lambin the Fleming
[6] Toft in Perth
[7] Land in Ednam
[8] 2 ploughgates in Ednam

Z Selkirk
36. Selkirk

AA Stirling
BB Wigtown
CC Kinross

William Maule (Masculus)[9] Malcolm IV

[9] Toft in Selkirk

MAP 3 (KEY)
William I
Crown Settlement in Scotland 1165-1214

County & Land	Feudatory	Reign
A Aberdeen		
1. Ardoyne, Oyne, Aberdeenshire	Earl David, Lord of Garioch	William I
2. Bourtie, Aberdeenshire	Earl David, Lord of Garioch	William I
3. Durno (in Chapel of Garioch), Aberdeenshire	Earl David, Lord of Garioch	William I
4. Fintray, Aberdeenshire	Earl David, Lord of Garioch	William I
5. Garioch in Aberdeenshire	Earl David, Lord of Garioch	William I
6. Inverurie, Aberdeenshire	Earl David, Lord of Garioch	William I
7. Ardlair in Ken'mont, Aberdeenshire	William de Tattenell[1]	William I
8. Kintore, burgh of, Aberdeenshire	William Gifford[2]	William I
9. Monkeigie, *alias* Keithhall, Aberdeenshire	Earl David, Lord of Garioch	William I
10. Oyne, Aberdeenshire	Earl David, Lord of Garioch	William I
11. Rothiod, Aberdeenshire	Earl David, Lord of Garioch	William I
B Argyll		
C Ayr		
12. Greenan in Carrick, Ayrshire	Sir Roger of Skelbroke	William I
13. Loudoun, Ayrshire	James son of Lambin of Loudoun	William I
D Banff		
14. Banff, burgh of, Moray	William Gifford[3]	William I
15. Cullen, burgh of, Banffshire	William Gifford[4]	William I
E Berwick		
16. Coldingham, Berwickshire	Robert de Anbein[5]	William I
17. Horndean, Berwickshire	William de Vieuxpont	William I
18. Langton, Berwickshire	William de Vieuxpont	William I
19. Nenthorn, Berwickshire	Roger Bertram[6]	William I
F Bute & Arran		
20. Bute	Alan II (Stewart)	William I
G Clackmannan		
21. Clackmannan	William Maule (Masculus)[7]	William I

[1] Held of Bishop Matthew of St. Andrews, Confirmed by King William I
[2] One full toft in burgh of Kintore
[3] One full toft in Burgh of Banff
[4] One full toft in burgh of Cullen
[5] given 20 merks for 'waiting' for land in Coldingham
[6] Through marriage to Ada de Moreville

H Dumbarton

22. Kirkintilloch, Dunbartonshire	William Comyn[8]	William I

I Dumfries

J Edinburgh

23. Cousland, Midlothian	Ralph of Graham	William I
24. Gogar, Midlothian	Ralph of Graham	William I
25. Granton, Midlothian, Edinburgh	Gregory de Melville[9]	William I
26. Inverleith, Edinburghshire, Midlothian	Ailif (King's Baker)[10]	William I
27. Morton in Nithsdale	Hugh 'Sans Marche'	William I
28. Morton, Beside Edinburgh	Earl David, Lord of Garioch	William I
29. Pentland, Midlothian	Ralph of Graham	William I
30. Traverlen (Duddingston, Midlothian)	Kelso Abbey	William I

K Edinburgh—Haddington

31. Bearford, Haddington East Lothian	Countess Ada	William I
32. Bolton, East Lothian	William de Vieuxpont	William I
33. Edmundestun, Stenton, East Lothian	Walter son of Alan I	William I
34. Hartside & Spott, East Lothian	Cospatric III Dunbar	William I
35. Langelaw, Haddington, East Lothian[11]	Alexander St. Martin	William I
36. Peffer Burn called Prora, East Lothian	Countess Ada	William I
37. Seton in Tranent	Alexander of Seton[12]	William I
38. Winton in Pencaitland, East Lothian	Alexander of Seton	William I

L Edinburgh—Linlithgow

39. Bangour in Ecclesmachan, West Lothian	Uchtred of Bangour	William I
40. Carriden, West Lothian	William de Vieuxpont	William I
41. Kilpunt in Kirkliston, W. Lothian	William Noble	William I
42. Muiravonside, West Lothian	Reginald Pratt	William I
43. Muiravonside, West Lothian	Richard de Melville	William I
44. Winchburgh in Kirkliston, West Lothian	Alexander of Seton	William I

M Elgin

45. Dolaysmichel (Dallas, Moray)	William of Ripley	William I
46. Forres, burgh of, Moray	William Gifford[13]	William I

N Fife

47. Airdrie in Crail, Fife	John Waleram[14]	William I

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[7] Toft in Clackmannan
[8] 'Right to have burgh at' *RRS*, ii, 501
[9] In exchange for 2 ploughgates in Ednam
[10] Land formerly held by Reginald
[11] The whereabouts of these lands are unknown
[12] Land formerly belonging to his father
[13] One full toft in burgh of Forres
[14] 'Land in'

48. Ardross, Fife	Merleswain (Merleswam?)	William I
49. Auchtermuchty in Fife	Malcolm, son of Duncan II Fife	William I
50. Ballebotl' in Kingsbarns, Fife	John Waleram	William I
51. Balmeadie (Fife)	Orm son of Hugh	William I
52. Balwearie in Kirkcaldy, Fife	Geoffrey son of Richard of Kinghorn	William I
53. Cassingray in Carnbee, Fife	Robert son of Henry[15]	William I
54. Crail, Fife	Robert of Newham[16]	William I
55. Denork in Cameron, Fife	Adam son of Odo the Steward	William I
56. Fothrif, Fife[17]	Earl Duncan II Fife	William I
57. Glenduckie, Dunbog (Fife)	Orm son of Hugh	William I
58. Howe (Western Edge) of Fife[18]	Earl Duncan II Fife[19]	William I
59. Kinninmonth (in Ceres, Fife)	Adam son of Odo the Steward	William I
60. Leslie, Fife	Malcolm, Son of Bertolf	William I
61. Lindores (Fife)	Earl David, Lord of Garioch	William I
62. Markinch with Chapel of Kettle, Fife	Duncan II Fife	William I
63. Outh in Dunfermline[20]	Robert of London[21]	William I
64. Pitcorthie in Kilrenny, Fife	Countess Ada	William I
65. Scoonie, Fife	Duncan II Fife	William I
66. Wormistone in Crail, Fife	Winemar (& Heirs)	William I

O Forfar

67. Benvie, Forfar	De Valognes, William son of Philip	William I
68. Brechin, Forfar	Earl David, Lord of Garioch[22]	William I
69. Dun, Forfar	Hastings	William I
70. Dundee, Forfar	Earl David, Lord of Garioch	William I
71. Forfar (Burgh of)	William de la Hay[23]	William I
72. Fowlis Easter, Forfar	Roger de Mortemer	William I
73. Guthrie, Forfar	Walter de la Carneille	William I
74. Inverarity, Forfar	Orm son of Hugh	William I
75. Inverkeilor, Forfar	Walter de Berkeley	William I
76. Inverpeffer in Panbride, Forfar	Walkelin the king's brewer	William I
77. Kilmundie (in Glamis), Forfar	Gilbert son of the Earl of Angus	William I
78. Lundie (Angus), Lordship of	Durwards, Malcolm & David	William I
79. Montrose, Abthen (Abbacia) of, Forfar	Hugh clerk of Roxburgh	William I
80. Montrose, burgh of, Forfar	Robert of London[24]	William I
81. Olgilvie, Glamis, Forfar	Gilbert son of the Earl of Angus	William I
82. Pourie (in Murroes), Forfar	Gilbert son of the Earl of Angus	William I
83. Newtyle, Forfar	Earl David, Lord of Garioch	William I
84. Panmure, Forfar	De Valognes, William son of Philip	William I
85. Ruthven, Forfar	Robert of London	William I
86. Rossie, Forfar	Henry the Clerk[25]	William I
87. Tannadice, Forfar	(Geoffrey?) de Melville	William I

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[15] Henry 'the Butler'
[16] Toft in Crail
[17] The whereabouts of these lands are unknown
[18] The whereabouts of these lands are unknown
[19] Through Marriage
[20] The whereabouts of these lands are unknown
[21] Forest of Outh
[22] Barrow states that Earl David has an 'Interest' in Brechin.
[23] One full Toft
[24] One full toft in burgh of Montrose
[25] Original grant must have been from David's Reign as Gregory son of Henry received the lands sometime around 1166, *RRS*, ii, 43

88. Tealing, Forfar	William (Son of Hugh) Gifford	William I

P Invernesss

89. Duldauach (now Culdoich), Inverness-shire	John the Hermit	William I
90. Duthil Parish, Moray	Earl Gilbert, Strathearn	William I
91. Glencarnie in Duthil, Inverness-shire	Gilchrist, son of Gilbert	William I
92. Kingussie, Inverness-shire	Gilbert of Cathcart	William I
93. Kinveachy in Duthil, Invernessshire	Earl Gilbert Strathearn	William I
94. Loch of Lunnin (Loch Moy) Invernessshire	John the Hermit	William I
95. Parishkirk of Duthil, Moray	Gilchrist, son of Gilbert	William I

Q Kincardine

96. Allardyce, Mearns, Kincardineshire	Walter son of Walter Scott	William I
97. Arbuthnutt, Mearns, Kincardineshire	Osbert Olifard of Bothwell	William I
98. Auchinzeoch, Fordoun, Mearns[26]	Ranulf the Falconer	William I
99. Balbegno, Fettercairn, Mearns	Ranulf the Falconer	William I
100. Balmakewan, Marykirk, Mearns	Ranulf the Falconer	William I
101. Benholm, Mearns, Kincardineshire	Hugh son of Hugh of Benholm[27]	William I
102. Conveth, Mearns, Kincardineshire	Agatha, Wife of Humphrey[28]	William I
103. Conveth, Mearns, Kincardineshire	Humphrey de Berkeley	William I
104. Cowie, burgh, Mearns, Kincardineshire	William Gifford[29]	William I
105. Fordoun, Mearns	Walter de Berkeley[30]	William I
106. Glenfarquhar in Fordoun, Mearns,	Humphrey son of Theobald	William I
107. Kincardine, Mearns, burgh of	William Gifford[31]	William I
108. Kineff, Mearns, Kincardineshire	William de Montford	William I
109. Kinkell, Mearns, Kincardineshire	Humphrey son of Theobald	William I
110. Lacherachgeigh Kenni, Haulkerton (in Laurencekirk, Mearns, Kincardineshire)	Ranulf the Falconer	William I
111. Laurencekirk, Mearns, Kincardineshire	Walter de Berkeley[32]	William I
112. Monbodro in Fordoun, Mearns, Kincardineshire	Humphrey son of Theobald	William I
113. Newlands in Fordoun, Mearns, Kincardineshire	Humphrey son of Theobald	William I
114. St. Cyrus (Mearns), Kincardineshire	Earl David, Lord of Garioch	William I
115. Strachan, Mearns, Kincardineshire	William Gifford	William I
116. Strathaven, Strathavon, (Strachen?) Mearns	Robert Baird[33]	William I

R Kirkcudbright

117. Anwoth (Gatehouse of Fleet),	David, son of Terri[34]	William I
118. Colvend & in port of Urr, Kirkcudbrightshire	Thomas son of Cospatric	William I
119. Kirkgunzeon, Kirkcudbrightshire	Uchtred son of Fergus	William I
120. New Abbey, Kirkcudbrightshire	Richard son of Truite	William I
121. Troqueer, Kirkcudbright	Uchtred son of Fergus	William I

S Lanark

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[26] The whereabouts of these lands are unknown

[27] A Hugh son of Elias (the Clerk) was granted this land around 1192, possibly Hugh the Elder, *RRS*, ii, 350

[28] Humphrey son of Theobald. Humphrey's wife Agatha was allowed to keep this land in exchange for land held in Ardoyne, *RRS*, ii, 344

[29] One full toft in burgh of Cowie

[30] 'Land in Fordoun'

[31] One full toft in burgh of Kincardine

[32] 'Land in Laurencekirk'

[33] 'Fief in Strathaven', *Kelso Liber*, ii, 181, 186

[34] Held of Roland of Galloway

122. Cadzow, Lanarkshire	Robert of London	William I
123. Lanark	Jordan son of William[35]	William I

N Nairn

P Peebles

124. Eddleston, Peeblesshire	Richard de Moreville	William I
125. Inverleith (Innerleithen)	Ailif, King's Baker[36]	William I

P Perth

126. Auchtermachany, Blackford, Perthshire	Malise, son of Ferteth	William I
127. Bardrill, Perthshire[37]	Malise, son of Ferteth	William I
128. Colzie in Abernethy, Perthshire	Alan son of Alan[38]	William I
129. Cargill, Perthshire	Richard de Monfiquet (Mushet)	William I
130. Clunie in Stormont, burgh of, Perthshire	William Gifford[39]	William I
131. Errol, Perthshire	William de la Hay	William I
(1182)		
132. Fowlis Easter, (Wester) Gowrie, Perthshire	Roger de Mortemer	William I
133. Kincardine in Menteith, Perthshire	Richard de Monfiquet (Mushet)	William I
134. Kingower in Gowrie	Ranulf the Falconer[40]	William I
135. Kinnaird, Perthshire (excIding Pittmiddle)	Ralph Ruffus	William I
136. Layston, Cargill, Perthshire	William son of Alexander	William I
137. Lethendy, Perthshire	Gilbert, Earl of Strathearn	William I
138. Longforgan in Perthshire	Earl David, Lord of Garioch	William I
139. Madderty, Perthshire	Gilbert, Earl of Strathearn	William I
140. Meikleour, Perthshire	Gilbert, Earl of Strathearn	William I
141. Muthill, Perthshire	Malise son of Ferteth	William I
142. Neutun in Forgandenny, Perthshire[41]	Walter de Berkeley	William I
143. Perth, burgh of	Henry Bald[42]	William I
144. Pitmiddle (Kinaird, Perthshire)	Earl David, Lord of Garioch	William I
145. Powgavie, Gowrie	William (son of Hugh) Gifford	William I
146. Rossie	Malise son of Ferteth	William I
147. Rossie in Inchture, Perthshire	James of Perth	William I
148. Strathbraan, Perthshire	Earl Duncan II Fife[43]	William I
149. Whitefield (Cargill) Perthshire	Richard de Montfiquet	William I

R Renfrew

R Ross

R Roxburgh

150. Hownam, Roxburghshire	William son of John[44]	William I

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[35] William son of Nigel; 'land which Uchtred Presun held beside Lanark' *RRS*, ii, 311
[36] 'Lands in Inverleith'
[37] The whereabouts of these lands are unknown
[38] Alan son of Cospatric of Swinton
[39] One full toft in burgh of Clunie
[40] Eldest son of Walter of Loutrop
[41] 'Neutun' may be in Roxburghshire, see below
[42] Holding land in the burgh of Perth of Jason son of Simon 'by the King's command', *RRS*, ii, 415
[43] Valley of Strathbraan
[44] John son of Orm son of Eilaf

151. Lessudden (St. Boswells), Roxburghshire	Robert son of Maccus[45]	William I
152. Newtun, Roxburghshire[46]	Walter de Berkeley	William I
153. Ringwood in Teviothead	Osulf son of Uchtred	William I

Z Selkirk

154. Whitslard (In Ashkirk), Selkirkshire	Andrew son of Unet	William I

AA Stirling

155. Stenhouse, Stirlingshire	Richard (Geoffrey) de Melville	William I

BB Wigtown

CC Kinross

[45] One ploughgate in Lessuden
[46] The whereabouts of these lands are unknown

Four

Accessing the Identity of the Mediaeval Scottish Nation

> This is my country, the land that begat me.
> These windy spaces are surely my own,
> and those who here toil in the sweat of their faces
> are flesh of my flesh and bone of my bone. (Sir Alexander Gray)[1]

Long before Sir Alexander Gray wrote these lines there was already an awareness that the connection between the 'land' and 'a people' (*gens, natio*) contributed to a common identity.[2] Such connections were strengthened in the Middle Ages by oaths of homage and fealty and through the activities of kings intent on consolidating their kingdoms and unifying the various peoples within their realms. Such activities also contributed to the growing recognition of the distinctiveness in culture, customs and liberties of early nations, both geographical-political entities as well as 'peoples.'[3] As the propaganda battle between Edward I and the Scottish community in the early stages of the fourteenth century demonstrates, a keen interest in knowing the past arose bringing even greater nationalist distinctions into play. In Scotland and England, where struggles over independence and subjugation took an imperialistic form, xenophobic perceptions of the barbarians in the peripheries influenced the development of clear ideas on national distinctiveness, ideas which initially took the form of a dichotomous ('us' and 'them') mentality, which were later internalized. Moreover, the ability to identify with the Scottish kingdom and the entire Scottish people, and to draw on the continuity and antiquity of both, lent itself to inspiring loyalties amongst those who could trace their ancestry from various Gaelic regions as well as those whose ancestors hailed from parts of England or the Continent. During periods of sustained threat to the stability and

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[1] Sir Alexander Gray, 'Scotland' in *Selected Poems of Alexander Gray*, p. 19.
[2] See the discussion on race and nationality being influenced by climate and geography in the introduction to this Thesis.
[3] Nederman and Forhan (eds.) *Medieval Political Theory—A Reader*. (London: Routledge, 1993), pp. 10-14.

independence of the kingdom (political, ecclesiastical and even cultural) both groups fought to maintain the liberties of the *natio Scottorum*.

Even amongst inhabitants of areas coveted by Scottish kings (or already under their nominal control) a willingness to protect the rights of the Crown developed into a willingness to protect the rights, customs and liberties of the Scottish people. For example, Alan of Galloway's involvement with the English Baronial revolt during the reign of King John led to his securing various concessions which protected the rights of Scottish kings and their people.[4] When Alexander II joined the baronial opposition after John repudiated Magna Carta, "the Constable [Alan of Galloway] resolved any conflict of loyalties by standing shoulder to shoulder with the Scots king."[5] We should also see the involvement of persons of such diverse ancestry as Farquhar mac Instacairt, Walter Comyn and Roland of Galloway in maintaining the peace within Scotland, as further indication of the successful consolidation of the kingdom during this period; consolidation, not only in terms of its geographical boundaries, but also in respect to its various peoples. As I have shown, already by the reign of David I the armies of Scotland consisted of a number of 'peoples' from every region under the Scottish Crown. It is significant that the inclusive designation *Albanaig* did not differentiate the disparate groups fighting for David and Scotland. Rather, it reinforced the idea that those who were fighting on the side of the Scottish king, fought for reasons other than loyalty to the Crown; they fought for the Scottish community, kingdom and people.

My main purpose in this thesis has been to shed light on the status of the current debate on nationhood and national identity in mediaeval Scotland. More specifically, to draw attention to the complexities confronting modern scholars attempting to gain a fruitful understanding of what, to most contemporaries, must have been a natural awareness. The three main issues that I have looked at, namely political thought and geographical awareness, perceptions of kingship and community, and the impact land tenure and settlement had on the development of nationality and national affinity, underscored a single common thread, polity and property. Secondary themes which I

[4] See Stringer, 'Periphery and Core: Alan of Galloway,' p. 89.
[5] *Ibid.*, p. 89. Alan of Galloway is named a 'rebel in arms' in an English government memorandum of 1216. *Foedera*, i, p. 144

addressed, such as the rise of feudal obligations and Norman contributions to political, military and social aspects of Scottish society, provided a contemporary backdrop for the consolidation and expansion of the Scottish kingdom. That the Norman impact on Scotland has proven a foil for modern reinterpretations of the twelfth and thirteenth century experience of the Scottish nation needs to be considered in greater detail elsewhere.

In the context of the current debate, a recognition of the ability of not only elite groups but every level of mediaeval Scottish society to identify those characteristics which distinguished them from others, and which imbued them with a sense of national self-awareness, is crucial for a more nuanced understanding of this phenomenon. Contemporary sources reveal that geographical awareness of the kingdom noticed in Crown charters, but also in the perambulations of personal land-holdings, helped to link people with a specific territory. The statement in the Declaration of Arbroath, that the *natio Scottorum* (Scottish people) journeyed until it "acquired...the places which it now holds" underpins this contemporary attitude towards the nation, referring to it as both a territorial designation, as well as a designation of a specific people. The willingness of contemporaries to defend 'with their lives,' as both the Declaration of Arbroath and John Barbour's poem *The Brus* stress, the independent nature of the Scottish kingdom implies an accepted belief in the personal ownership, or vested interest, in the nation. With the granting of lands came the rights of inheritance and the responsibilities and duties expected in return. Reciprocity was most evident in the exchange of land, the political currency of the period, for military or personal service. However, the Scottish people inherited via the antiquity and continuity of the monarchy and of the *natio*, a shared history, common traditions, accepted perceptions, established social conventions and above all else a sense of belonging, in exchange for devotion, service and loyalty to Scotland, the Crown and the community.

But, do to the fluidity of national identities and because of modern academic preconceptions, the inability to recognize what contemporaries inherently accepted, has encumbered our understanding of early manifestations of national awareness and national affinity. By teasing out various examples of contemporary national awareness from the disparate sources that exist, I have shown how early political theorists articulated

concepts of 'peoples' and 'nations.' More importantly, by examining charter evidence and chronicle materials it is clear that such theories easily translated into a practical understanding of contemporary social and political conventions.[6] As English chroniclers began delineating the two kingdoms on the basis of geography and race, a pre-existing dichotomous mentality became bound up with a language of imperialism. 'Dispossessing the barbarian,' in its mediaeval British context, consisted of the assimilation of customs and traditions and the possible dislocation from the land, or at least from the Scottish Crown, as well as a break with the past.[7] This resulted in a determined response from the entire Scottish community directed towards the preservation of their land and way of life. Through formal oaths, such as the one demanded by William I to preserve the peace of the kingdom and to 'know' the outsider or 'malefactor,'[8] and through the extension of various liberties and responsibilities attached to grants of land, Scottish kings instilled in the Scottish populace the will to protect the interests of the kingdom.

Furthermore, the importance of the monarchy to the mediaeval nation included both the political guidance that kings or at least the institution provided, and the symbolic representation of the continuity and longevity of an entire people or nation. Even amongst lesser landholders and non-elites in Scotland the importance of the monarchy to the identity of the Scottish people was paramount. As Susan Reynolds has argued, the origin myths present in both mediaeval literature and royal pedigrees were included to inspire a sense of political unity, not to underscore social divisions.[9] As the example of Seton, Hay and Campbell during the Scottish wars with England illustrates, loyalties to the Crown translated into loyalties to the kingdom and to its people. Moreover, the use of the royal style *rex Scottorum* in the various *acta* of twelfth- and thirteenth-century Scottish kings, which has been represented by a number of scholars as an indication of a

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[6] Professor Barrow has argued that clerical use of specific language to refer to states, kingdoms, nations 'is explicable only if the notion had become firmly planted in men's minds.' Barrow, *Anglo-Norman Era*, p. 155.

[7] The attitude of Malmesbury, Ailred of Rievaullx and William of Newburgh towards Scottish custom, what Malmesbury referred to as 'the rust of Scottish barbarity' underscored an imperial mission to civilize the barbarians in the peripheries of the Scottish kingdom. Edward I's removal of the Stone of Destiny and the Black Rood of St. Margaret, powerful symbols of the mediaeval Scottish nation, after the deposition of John Balliol provided the English with a sense of victory. During the negotiations for the Treaty of Edinburgh (signed in 1328) a London mob prevented the English delegation from considering the return of these items to the Scots. On this see Barrow, *Bruce*, p. 260.

[8] Anderson, *Annals*, p. 318.

[9] Reynolds, *Kingdoms and Communities*, p. 259.

lack of national unity in mediaeval Scotland,[10] reveals an internalized sense of national self, rather than a reactionary identity. From those examples available to us, it is clear that Scottish kings and the Scottish people understood that the title *rex Scottorum* referred implicitly to a king of the Scots as well as to a king of Scotland.[11] As both the political leader of the kingdom, and the symbolic representation of the *natio Scottorum*, Scottish kings, through their royal lineage and the continuation of an ancient institution, provided their people with a powerful link to the past. This institution also provided the Scottish people with a constant and deep-rooted source from which the identity of the mediaeval Scottish nation flowered.

[10] Dauvit Broun, 'When did Scotland become Scotland?' pp. 16-21; Patrick Wormald, 'The Making of England' pp. 26-32; R. R. Davies, 'The People of Britain and Ireland, 1100-1400. 1: Identities.' For full citation see p. 6, n. 22 and p. 9, n. 34.

[11] This was not only the case in Scotland, according to Susan Reynolds, this was the norm throughout western Europe. Reynolds stated that stated that "the constitutional distinction which was drawn in 1830 between a king of France and a king of the French would have been meaningless in the Middle Ages." *Ibid.*, p. 259. See also Barrow, *RRS*, i,69-72. Barrow noted over fifteen different styles used by Malcolm IV, including variations on the styles *rex Scottorum* and *rex Scotie*.

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